



**Franklin City Council Agenda
April 12, 2021
Council Chambers
207 West Second Avenue
Franklin, Virginia 23851**

6:00 P.M.

Race Relations Committee Work Session

7:00 P.M.

Regular Meeting

**CALL TO ORDER. MAYOR FRANK M. RABIL
PLEASE TURN OFF CELL PHONES. MAYOR FRANK M. RABIL
PLEDGE OF ALLEGIANCE
CITIZEN'S TIME
AMENDMENTS TO AGENDA**

1. CONSENT AGENDA:

- A. Approval of March 22, 2021 minutes
- B. Child Abuse Prevention Month Resolution #2021-05
- C. Animal Control and Care Week Resolution #2021-06
- D. Telecommunicators Week Resolution #2021-07

2. FINANCIAL MATTERS

- A. Budget Amendment
- B. Financing Plan of Action Update
- C. Purchasing Policy Limits Policy Update

3. OLD/ NEW BUSINESS:

- A. Approval of Real Estate Purchase Contract
- B. Employee Incident Accident Policy
- C. City Manager's Report

4. COUNCIL/STAFF REPORTS ON BOARDS/COMMISSIONS

5. CLOSED SESSION

I move that the City of Franklin, Virginia City Council adjourn into a closed meeting pursuant to Virginia Code Section 2.2-3711-A-1, 1. discussion of appointments to boards and commissions, to discuss the following subject or subjects: Blackwater Regional Library Board, Industrial Development Authority, and Social Services Advisory Board; Franklin Southampton Economic Development, Inc., and;

2.2-3711-A-3, Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect

the bargaining position or negotiating strategy of the public body specifically regarding property in Downtown Franklin and along Fairview Drive.

2.2-3711-A-5, Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community specifically along Pretlow Industrial Park, Armory Drive, and Franklin Regional Airport.

2.2-3711-A-7, Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body specifically regarding wastewater treatment and a lawsuit in the United States District Court for the Eastern District of Virginia Richmond Division.

Motion Upon Returning to Open Session- I move that the City of Franklin, Virginia City Council adopt the attached closed meeting resolution to certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting held on April 12, 2021; (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the City of Franklin, Virginia City Council; and (iii) no action was taken in closed meeting regarding the items discussed.

6. ADJOURNMENT



*Office of the City Manager
Amanda C. Jarratt*

April 6, 2021

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: Race Relations Committee Follow Up

Background Information

As you all will recall the Franklin City Council appointed a Race Relations Committee early on in 2020. The group met and reported out at the March 8th City Council meeting. Attached is the report that they provided. Staff invited members of the Race Relations Committee to attend this work session.

In addition, staff reviewed the report and would like to offer some ideas for discussion. With regards to the recommendations that involve the Department of Social Services the first recommendation is for the Franklin City Council, City staff, and key community leaders participate in the Bridges out of Poverty program and read the associated book. Bridges Out of Poverty is a community support program that helps individuals, agencies and communities understand the effects that generational poverty have on those living in poverty. Bridges Out of Poverty introduces concepts and constructs that provide a foundation of understanding poverty as well as the eight resources that people need to escape poverty.

With regards to the Parks and Recreation recommendations we have made great strides in this area and staff will be providing a more in depth presentation on those efforts at a work session in May. A Unity 5k run is being planned in conjunction with the YMCA in the fall of 2021. Community Day through Parks and Recreation is already being planned as well as a City wide National Night Out.

With regards to the suggestions related to the City of Franklin Police Department staff would offer the following:

- If Council would like us to pursue this option, the funding of internships can be considered in the FY23 budget and grant funding can be sought to fund these. Staff has recently been working with Franklin City Public Schools, Camp Community College, and others to develop a long term approach to an employee pipeline.
- A School Resource Officer (SRO) will have to be funded locally. The City staff previously applied for grant funds to support this however due to the onset of COVID-19 and the limited staff levels we were not able to pursue the hiring of an SRO. As a note, there is a movement to do away with these positions however it is critical for all public safety staff to have a relationship with children in all schools. Funding these positions locally are easier to maintain over the long term.
- The Department is utilizing technology for recruitment. We have participated in Virtual Job Fairs throughout the COVID-19 pandemic and plan to return to in person recruitment when it is available. A concerted effort is made by staff to try to be reflective of the community that we serve.
- Apply for a grant to begin a new “Explorers” program. This is attainable now that we are approaching more sustainable staffing levels.

- The Franklin Police Department actively and frequently reaches out to other agencies to discuss best practices.

Needed Action

Provide direction to staff on how to proceed.

A Plan for Racial Reconciliation and Relational Repair

We are one human race. However, the myth of races and ensuing tribalism inflicted pain and hardship in the form of racism. Historically, the Virginia colony was the first place where the legal designation “white” occurred in the 17th Century.¹ It was during this same era the ‘racialization’ of slavery took place.² We live in the shadow of this historically broken trust, yet we have the opportunity to dismantle systematic racism in our community, to reconcile together, and to repair relationships moving forward in what Martin Luther King called “the Dream.”

This report represents the suggestions and findings of our committee after interviewing community leaders in politics, law enforcement, faith, family, banking, and education. Our goal is to repair and lead by making a stand against racism. Because racism became such a woven part of the way we related to one another, there is no silver bullet or magic legislation that can make all things new. There are, however, places we can change and make change happen to create the fertile ground for which a new way of being can begin. Thus, we agree the path forward lay with creating a pipeline for empowerment, education, and job creation for our youth and make the following suggestions and those with whom we connected:

Family Values and Social Services:

1. Mentoring Program for new moms and dads.
2. Community Baby Showers for Single Moms perhaps by Churches emphasizing pre-k education.
3. Financial Literacy Programs.
4. Promote and enhance funding for programs that produce self-sufficiency and personal dignity.
5. City hosting a Community Unity Day and other events 4 times a year to encourage full integration.
6. Sports programs with integrated teams utilizing the High School, YMCA, Martin Luther King Center, and Churches.

¹ Ben Campbell, *Richmond's Unhealed History*, (Richmond: Brandylane Publishers, 2011).

² David Reich, *Who We Are and How We Got Here: Ancient DNA and the new science of the human past*, (New York: Oxford University Press (2018)).

People to Connect:

- Director of Social Services
- Bp. Anthony Rawlings
- Dr. Alvin Harris
- Rev. Danny Dillon
- Rev. Erik Majette

Education:

1. Link Job-makers with Job-seekers through school and market place partnerships.
2. Partnership with the County School System to hire Vocational Teachers.
3. Partnership with the Community College to go from classroom to workforce.
4. Housing incentives for new teachers.
5. Creating electives in African-American studies.
6. Shift terminology from “slaves” to “enslaved people” in history.
7. We believe a new facility will bring pride and inspiration to our kids’ education.

People to connect:

- Dr. Tamara Sterling
- Dr. Alvin Harris
- Rev. David Dillon
- Rev. Nathan Decker
- Mrs. Mona Murphy

Law Enforcement:

1. Fund internships for police to hire prospective African Americans.
2. Fund hours for officers to serve as School Resource Officers
3. Help department update technology know-how to improve recruitment.
4. Fund technology and intelligence skills.
5. Apply for Grant to begin anew the “Explorers” program.

6. Reach out to other law enforcement agencies to learn career development and knowledge.

People to connect:

- Chief Patterson
- Lt. Wilson
- Lt. Barham

Home Ownership:

1. Continue to do Community Development Block Grants
2. Create skill-oriented programs (full curriculum) for how to have good credit, file taxes, and other financial literacy focusing on life skills.

People to connect:

- Brian Hedgepeth
- Sion Carr
- Wes Bryant

Political:

1. We ask that all leaders look inward and humble themselves before one another as brothers and sisters in the human family promoting relational recovery.
2. As 21st century community leaders, we look back with regret and disdain on the era of slavery and racial inequality in America. We purpose to address and resolve the racial injustice in our society that has brought us to this present crisis. By God's grace, our intention is to be initiators of relational recovery in the city of Franklin and beyond.

Submitted by the appointed committee:

Councilman Greg McLemore, Mrs. Mona Murphy, Rev. David Dillon, Mrs. Angela Holeman, Mrs. Davida Fenner, Dr. Alvin Harris, Rev. Nathan Decker

MINUTES FROM THE MARCH 22, 2021 FY 22 BUDGET WORK SESSION BETWEEN FRANKLIN CITY COUNCIL AND FRANKLIN CITY PUBLIC SCHOOLS

The Franklin City Council held a Regular City Council Meeting on March 22, 2021 at 6:00 p.m. in the City Hall lobby located at 207 West Second Avenue, Franklin, Virginia 23851.

Council Members in Attendance: Frank Rabil, Mayor; Bobby Cutchins, Vice-Mayor; Councilwoman Wynndolyn Copeland; Councilman Ray Smith and Councilman Mark R. Kitchen

Council Members Arriving Late: Councilman Gregory McLemore arrived at 6:14 p.m. and Councilman Linwood Johnson arrived at 6:20 p.m.

Franklin City Public School Board in Attendance: Amy Phillips, Chairwoman; Robert Holt; Tonya Smith; Marchelle Williams; Andrea Shelton; Carrie Johnson

Franklin City Public School Board Members not in Attendance: Jerry McCreary

Franklin City Public School Board Staff in Attendance: Tamara Sterling, Superintendent; Jeff Ryder, Assistant Superintendent of Operations and Tammy Moore, Executive Assistant, recording minutes

Staff in Attendance: Amanda Jarratt, City Manager and Leesa Barnes, Executive Assistant, recording minutes

Other Staff in Attendance: Steve Patterson, Chief of Franklin City Police Department and Sarah Rexrode, Director of Social Services

Call to Order

Mayor Frank Rabil called the March 22, 2021 FY 22 Budget Work Session between Franklin City Council and Franklin City Public School to order at 6:00 p.m.

Chairwoman Amy Phillips called the March 22, 2021 FY 22 Budget Work Session between Franklin City Council and Franklin City Public Schools to order at 6:00 p.m.

MINUTES FROM THE MARCH 22, 2021 FY 22 BUDGET WORK SESSION BETWEEN FRANKLIN CITY COUNCIL AND FRANKLIN CITY PUBLIC SCHOOLS

Amy Phillips, Chairwoman of the Franklin City Public School Board introduced Tamara Sterling, Superintendent of Franklin City Public Schools who then introduced Jeff Ryder, Assistant Superintendent of Operations to review the following highlights from the FY 22 Budget Work Session:

Cares Act Update – Joint Session

The Cares Act is a series of funding measures enacted by the Federal Government in 2020 to alleviate tremendous burdens on all sectors of the economy brought on by the Coronavirus.

Franklin City Public Schools was notified four separate times that funding was coming under four different titles of the CARES Act. FCPS refers to these four different titles as Streams 1, 2, 3 and 4.

Stream 1

Stream 1 was received in March 2020 and was for \$617,639.00. Stream 1 was a reimbursement grant that needs to be spent by September 2022.

Stream 2

Stream 2 was received in August 2020 and was for \$88,560.00 but then was reduced to \$87,606.00 in November 2020. Stream 2 was also a reimbursement grant and also has to be spent by September 2022.

Stream 3

Stream 3 was received in October 9, 2020 and these funds were prepaid at \$177,958.00. There was a huge condition attached to these funds, the amount had to be spent by December 31, 2020 which was only eleven weeks from the time it was received and if there is anything left it would have to be paid back.

Stream 4

Stream 4 was received in January 2021 and was for \$2,552,350.59. Stream 4 had all the same restrictions and allowable uses as Streams 1 through 3 with one major exception; it could not be spent until all prior streams were spent.

MINUTES FROM THE MARCH 22, 2021 FY 22 BUDGET WORK SESSION BETWEEN FRANKLIN CITY COUNCIL AND FRANKLIN CITY PUBLIC SCHOOLS

The above grants pay for anything COVID related that would not have been purchased (or anyone hired) had it not been for the pandemic.

If the Franklin City Public Schools pays for anything that they were already paying for before the pandemic, that is considered “supplanting” which is a pre-pandemic expense and that is illegal.

This is true with any federal grant. Using federal grant dollars to for anything the division would ordinarily pay for out of local funds is supplanting.

Mr. Ryder then gave an updated status of the Cares Act Grants, he added he would present them in reverse order which is the way they were required to be spent.

Stream 3 had to be spent within twelve weeks of receiving the pre-paid funds. Therefore, all spending stopped from Streams 1 and 2 and the schools started spending Stream 3.

Cares Act – CRF Stream 3

Date	Amount
October 6, 2020	\$88,560.00
October 20, 2020	(\$ 954.00)
December 11, 2020	\$43,120.00

Cares Act – ESSR / GEER Stream 2, Reading on February 25, 2021

Award Balance On December 11, 2020	YTD February 25, 2021	Encumbered	Remaining to be Spent
\$130,726.33	\$19,194.77	\$7,101.04	\$104,430.52

Cares Act – Original Award Stream 1

FY 2021 Budget	YTD February 28, 2021	Remaining to be Spent	Monthly Total
\$617,638.93	\$140,454.21	\$477,184.72	\$26,068.00

Franklin City Public Schools planned for Stream 1 to pay for the personnel and purchased items the grant called for to last until the grant ends in September 2022.

Stream 4

Franklin City Public Schools were notified in January 2021 and contains all the same restrictions and allowable uses as Streams 1 through 3 with one major exception:

Stream 4 cannot be spent until all prior streams are spent.

MINUTES FROM THE MARCH 22, 2021 FY 22 BUDGET WORK SESSION BETWEEN FRANKLIN CITY COUNCIL AND FRANKLIN CITY PUBLIC SCHOOLS

Major problem: We did not anticipate the receipt of this grant so Stream 1 was spread over two years. FCPS cannot wait until September 2022 to start spending Stream 4 due to FCPS would only have twelve months to spend the funds. Stream 4 expires September 2023.

Resolution: Franklin City Public Schools will run out of people being paid in Stream 1 only until December of 2021. The remaining funds in Stream 1 will be applied to anticipated purchases of Stream 4 and FCPS will transfer the people to Stream 4 in January 2022 and pay them until September 2023.

The Virginia Department of Education has extended all applications filing dates to April 1, 2021. The Franklin City Public Schools has to provide an outline on how they intend to spend the available funds to the Virginia Department of Education and to the Federal Government.

Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act

Franklin City Public Schools Awarded Amount: \$2,552,350.59

Grant Award Period: March 13, 2020 – September 30, 2023

Personnel

- Custodians
- Guidance Counselors
- Human Resources Specialist
- Bus Drivers
- Stipends
- Grants Coordinator

Contracted Services

- Mental Health Services
- Grow Your Own
- Teacher Education Program (Institutions of Higher Education Partnerships)

Materials & Supplies

- Sanitization Materials and Supplies

Capital Outlay

- Facilities Upgrade (Modular Classrooms)
- Facilities Upgrade (Touchless Toilets)

Purpose: The overarching purpose of the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act Elementary and Secondary School Emergency Relief (ESSER) II Fund is to provide emergency relief funds to address the impact that COVID-19 has had, and continues to have, on elementary and secondary schools.

After Assistant Superintendent Ryder completed his update on the Cares Act Funding; Mayor Frank Rabil reiterated that the Cares Act funding could be used to upgrade the bathroom facilities.

Assistant Superintendent Ryder answered yes.

Mayor Rabil stated the City just approved a budget amendment to allocate the Franklin City Public Schools funds to upgrade the bathroom facilities and now you don't need those funds.

Tamara Sterling, Superintendent of Franklin City Public Schools replied that is not true, FCPS does need the funds and is utilizing those funds to go through with the renovation project on the bathroom facilities of the schools.

MINUTES FROM THE MARCH 22, 2021 FY 22 BUDGET WORK SESSION BETWEEN FRANKLIN CITY COUNCIL AND FRANKLIN CITY PUBLIC SCHOOLS

Mayor Rabil asked if it was correct that the Cares Grant funds could not be used for Brick and Mortar projects.

Assistant Superintendent Ryder answered that certain Cares Grant funds could be used for Brick and Mortar Projects such as purchasing modular classrooms to allow for social distancing.

**Franklin City Public Schools
FY 2022 Budget Request – Joint Session**

Assistant Superintendent Jeff Ryder presented the following for FY 2022 Budget to Franklin City Council and staff:

Background Information

Section 15.2-2503 of the Code of Virginia requires local school boards to approve their budgets by April 1, 2021 for submission to the local governing body, and Section 22.1-93 requires the local governing body to adopt the school division budget by May 15, 2021.

Budget and Estimates

Expenditure budget is the plan of how Franklin City Public Schools will spend revenue.

Revenue is derived from three main sources:

- State revenue 52%
- Federal revenue 16%
- City appropriation 31%
- Other local grants 2%

State Funding

Franklin City Public Schools budget request was due to City Manager Amanda Jarratt by March 15, 2021, therefore FCPS has little other choice but to go with the ADM and calculator the state has put out in the Governor's introduced budget.

City Appropriation Revenue

Once Franklin City Public Schools spends the rollover dollars allocated for FY 2021 there will be no more unexpended fund balance on the City's books.

Franklin City Public Schools request for FY 2022 will be for the City will return to the prior level funded amount of \$5,082,395.00.

MINUTES FROM THE MARCH 22, 2021 FY 22 BUDGET WORK SESSION BETWEEN FRANKLIN CITY COUNCIL AND FRANKLIN CITY PUBLIC SCHOOLS

**Nutrition – Assume will go back to NSLP reimbursement rates
Nutrition – Fund 8**

	Variance to Budget
Beginning Bank Balance (ASR)	\$364,987.00
Anticipated Surplus (Deficit)	\$ 69,593.00
Anticipated Ending Balance	\$434,580.00
Estimated three months Spend	\$322,114.00
If possible FCPS will require Excess Spending Plan	\$112,465.00

**Textbook Fund – Based Solely on State Funding
Textbook – Fund 9**

	Variance to Budget
Beginning Bank Balance	\$226,262.00
Anticipated State Revenue this year	\$ 73,553.00
Literature adoption approved at January 14, 2021 Work Session	(\$ 44,630.00)
English adoption approved at January 14, 2021 Work Session	(\$ 58,315.00)
Available for Science and other	\$196,870.00

**Overall Income Statement
This Year – FY 2021**

Budget 2021	YTD Jan. 31, 2020	Projection of Remaining 5 Months	Variance to Budget	Preliminary Projection 2022
\$0.00	\$663,752.00	(\$632,046.00)	(632,046.00)	(\$0.00)

Level fund School Division for FY 2022 at \$5,082,395.00.

Summation

The Center for Disease Control (CDC) has made the following updates concerning the COVID-19 pandemic:

- Reduce the distance for students to be in class from six feet apart to three feet apart.
- Dropped the recommendation for schools to install barriers such as sneeze guards.
- Vaccines are rolling out by the hundreds of thousands and clinical trials are starting for children.

All of this points to FCPS probably going to full in class instruction in the fall.

For this reason, all of the expense lines were returned to their former estimates as the expenses for a “normal” year are expected to return.

MINUTES FROM THE MARCH 22, 2021 FY 22 BUDGET WORK SESSION BETWEEN FRANKLIN CITY COUNCIL AND FRANKLIN CITY PUBLIC SCHOOLS

As for State revenue, the Franklin City Public Schools will know more after the final state calculator comes out in late April. It is at that point we find out exactly what revenue the State will adjust this year's funding estimate.

Mayor Frank Rabil asked if the Franklin City Public Schools and staff have received COVID-19 vaccines.

Superintendent Tamara Sterling replied 100 out of 140 have received their vaccines.

Councilman Ray Smith asked if the teachers were going to have to be vaccinated in order to return teaching at the schools.

Superintendent Sterling answered absolutely.

There being nothing further to discuss or report Mayor Frank Rabil adjourned the March 22, 2021 FY 22 Budget Work Session between Franklin City Council and Franklin City Public Schools at 6:40 p.m.

There being nothing further to discuss or report Chairwoman Amy Phillips adjourned the March 22, 2021 FY 22 Budget Work Session between Franklin City Council and Franklin City Public Schools at 6:40 p.m.

Mayor

Clerk to City Council

MINUTES FROM THE REGULAR MARCH 22, 2021 CITY COUNCIL MEETING

The Franklin City Council held a Regular City Council Meeting on March 22, 2021 at 7:00 p.m. in the City Council Chambers located at 207 West Second Avenue, Franklin, Virginia 23851.

Council Members in Attendance: Frank Rabil, Mayor; Bobby Cutchins, Vice-Mayor; Councilman Linwood Johnson; Councilwoman Wynndolyn Copeland; Councilman Gregory McLemore; Councilman Ray Smith and Councilman Mark R. Kitchen

Staff in Attendance: Amanda Jarratt, City Manager and Leesa Barnes, Executive Assistant, recording minutes

Other Staff in Attendance: Steve Patterson, Chief of Franklin City Police Department; Robert Porti, Deputy Chief of Franklin City Police Department; Steve Newsome, Information Technology; Tracy Spence, Director of Finance; Sarah Rexrode, Director of Social Services; Russ Pace, Director of Public Works; Brenda Rickman, Commissioner of the Revenue; Beverly Walkup, Interim Director of Community Development and Sammara Green-Bailey, Director of Parks & Recreation

Call to Order

Mayor Frank Rabil called the March 22, 2021 Regular City Council Meeting to order at 7:00 p.m.

Citizen's Time

1st Speaker

Jesse Evans, resides at 305 Washington Street, Franklin, Virginia 23851; Mr. Evans stated he has been a citizen of the City of Franklin, Virginia for all of his life. He expressed his concern for the growing violence in the Cobb Street area. His residence was hit by a stray bullet two weeks ago and he called 911 to report the incidence. He complained that it took the police department thirty minutes to arrive at his residence. Mr. Evans requested to have police officers to be stationed in the high crime areas for extra security.

Mayor Frank Rabil asked City Manager Amanda Jarratt to look into Mr. Evans' complaint.

Amendments to Agenda

Mayor Frank Rabil asked if there were any amendments to the agenda.

There were no amendments to the agenda.

Consent Agenda

Approval of March 8, 2021 Minutes

Mayor Frank Rabil asked if there were any additions or corrections to the minutes from the March 8, 2021 regular City Council meeting.

There being no additions or corrections to the minutes from the March 8, 2021 regular City Council meeting Mayor Rabil asked for a motion of approval.

Councilman Linwood Johnson made a motion to approve the minutes from the March 8, 2021 regular City Council meeting. The motion was seconded by Councilwoman Wynndolyn Copeland.

The motion carried the vote by 7-0.

Mayor Frank Rabil stated that the motion passed unanimously.

Introduction of New Employees – Franklin Police Department

City Manager Amanda Jarratt asked Chief Steve Patterson to come forward and introduce the following new employees:

Trisha Martinez – Police Officer

Retirement Recognition – Leonard Bradshaw Public Works

Mayor Frank Rabil asked Vice-Mayor Bobby Cutchins to read the Retirement Recognition Resolution for Leonard Bradshaw.

See Attached Resolution:

Financial Matters

Budget Amendment, 2021-22, 2021-23

City Manager Amanda Jarratt asked Tracy Spence, Finance Director to come forward and review the following Budget Amendments:

Budget Amendment #2021-22

1. The 2020 – 2021 City Budget will be amended to reallocate appropriations in the amount of \$53,600.00 to fund the replacement of the HVAC unit at the King Center and the replacement of the playground equipment at College Street Park.
2. The 2020 – 2021 City Budget will be amended to reallocate appropriations in the amount of \$80,000.00 to fund the excessive contracted sludge disposal and chemical costs at the Wastewater Treatment plant; and
3. The 2020 – 2021 City Budget will be amended to recognize the Airport’s supplemental appropriations of State’s revenues in the amount of \$11,600.00 to appropriate for use.

Mayor Frank Rabil asked City Manager Jarratt to give further details on Budget Amendment #2021-22. City Manager Jarratt explained that there was an unexpected HVAC failure that was not in last year’s budget. Also there were funds that were designated for the City to use to hire employees for the Summer Jam Program. Due to the COVID-19 pandemic, these funds were not used so these funds will be used to replace the playground equipment at College Street Park.

Councilman Linwood Johnson made a motion to adopt Budget Amendment #2021-22. The motion was seconded by Councilman Mark R. Kitchen.

The motion carried the vote by 7-0.

Mayor Frank Rabil stated that the motion passed unanimously.

Budget Amendment #2021-23

The 2020 – 2021 City Budget will be amended in the amount of \$2,570,351.00 to recognize the School’s supplemental appropriation of State revenues and to appropriate for use.

Mayor Frank Rabil asked what did Fund 69 represent.

Director Spence replied that is the account funding code.

Councilman Linwood Johnson made a motion to adopt Budget Amendment #2021-22. The motion was seconded by Councilman Mark R. Kitchen.

The motion carried the vote by 7-0.

Mayor Frank Rabil stated that the motion passed unanimously.

Old / New Business

Laurel Street Community Development Block Grant Assurances

Resolution #2021-04

Background Information

City Manager Amanda Jarratt called Beverly Walkup to come forward and give a brief review of the Laurel Street Community Development Block Grant Application and answer any questions that may arise.

The City of Franklin has completed a large number of housing projects in recent years through the use of the Community Development Block program. The Community Development Block Grant (CDBG) program is a federal program created by the Housing and Community Development Act of 1974. It is administered by the Virginia Department of Housing and Community Development (DHCD).

The program provides funding for local governments to address community development needs:

- Improve the economic and physical environment in Virginia's communities through implementation of activities which benefit low – and moderate-income persons,
- Prevent or eliminate slums and blighting conditions, or
- Meet urgent needs which threaten the welfare of citizens.
- Approximately \$17,450,000.00 is available for 2021 CDBG Grant Program.
- Approximately \$9,750,000.00 is available for Competitive Grants.
- There are 281 eligible towns, cities and counties in Virginia.
- Typically, 20 – 30 communities apply and 12 – 20 of these receive funding.
- Total project amounts are higher so fewer awards are expected.

A wide range of activities can be pursued with CDBG funds. The five primary project types under the Competitive CIG program are:

1. Comprehensive Community Development
2. Housing Rehabilitation and Housing Production
3. Economic Development – Business District Revitalization, Entrepreneurship
4. Public Infrastructure
5. Community Service Facility

Description of Area

The Project Area for the Laurel Street Neighborhood Revitalization Project consists of residential units on the blocks of Laurel Street, Oak Street, and South Street. The project area is bounded by South Street to the North, Oak Street to the West, the rear of Laurel Street – facing properties to the East, and Pretlow Drive at the South. A small portion of the project area is in the Floodplain.

Survey of Needs

There are 73 residential dwelling units and 59 structures within the targeted project area, with 59 single-family homes, four duplexes, and one 10-unit multi-family structure. Nineteen of the single-family homes are owner-occupied (26%), and 54 units are tenant-occupied (74%). The project area has two commercial structures with a total of four business / church spaces which are partially occupied. There are seven vacant residential units in the project area which are in fair to good condition and in various states of renovation by the investor-owners.

The neighborhood’s infrastructure is in fair to good condition. The drinking water supply is adequate and no improvements are required. Sewer laterals and cleanouts which have not been previously upgraded need to be brought to current standards, and the Sewer Force Main between the pump station and its connection at Laurel Street needs to be upgraded. The community’s primary infrastructure concerns are the stormwater drainage system which is in poor condition; plans are to line the existing drainage pipes and enlarge drop inlets to improve drainage characteristics and improve safety features. Finally, the City plans to repair deteriorated portions of the sidewalks, install accessible ramps with detectable surfaces at the crossing of Bolling Street and milling and paving the deteriorated street surface.

Summary of Proposed Improvement Program

Due to the size of the project area and the interest demonstrated by the residents to participate in housing rehabilitation, the project is proposed to be implemented in two phases:

- **Phase I** will address housing rehabilitation, sanitary sewer improvements, and stormwater drainage in the southeastern half of the project area (Laurel and Ashton Streets), to be followed by
- **Phase II** which will address needs in the northwestern half of the project area (Laurel, Oak, and South Streets) and street improvements throughout the project area.

Funding Sources

The following funding is anticipated for the Laurel Street Neighborhood Revitalization Project Phase I:

Community Improvement Grant	\$1,360,000.00
USDA / Rural Development Housing Grants (individual homeowner applications)	\$ 37,000.00
Investor – Owner Funded Rehabilitation (10% + over cost limits contributions)	\$ 66,700.00
Prior CDBG Program Income Funds	\$ 7,500.00
City of Franklin Enterprise Funds (Sanitary Sewer Force Main Improvement)	\$ 248,600.00
City of Franklin General Funds	\$ 21,400.00
City of Franklin In-Kind Services and Waived Fees	\$ 6,300.00
Total Estimated Project Cost	\$ 1,747,500.00

Councilman Wynndolyn Copeland made a motion to approve Resolution #2021-04 which will allow City Council to adopt the assurances as presented. The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by 7-0.

Mayor Frank Rabil stated that the motion passed unanimously.

Health Insurance Renewal

City Manager Amanda Jarratt stated the City of Franklin is a member of the Local Choice program. The City has received their renewal for the 2021 – 2022 fiscal year and will be receiving a decrease of 4%. In the previous fiscal year, the insurance premium decreased by 4.9%. This will be a total decrease of over 11% in the last three years. The City of Franklin must declare their intentions by April 1, 2021.

Mayor Frank Rabil opened the floor for questions.

Councilman Ray Smith asked if this health insurance renewal would have any impact on employee's ability to go to Southampton Memorial Hospital.

City Manager Jarratt replied not directly, Anthem is still considered out of network. City Staff does anticipate employees switching over to Optima in order to be able to be seen at Southampton Memorial Hospital.

Councilwoman Wynndolyn Copeland made a motion to approve City Manager Amanda Jarratt to accept the health insurance renewal proposal and execute the required documents. The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by 7-0.

Mayor Frank Rabil stated that the motion passed unanimously.

Authorization of Funds – Confederate Monument Removal

City Manager Amanda Jarratt stated the bid for \$95,000.00 to remove and re-erect the Confederate Monument located at Memorial Park was previously rejected by you as Franklin City Council. Staff would like to proceed with the issuance of an Invitation for Bids to proceed with the removal and re-erection of the statue. To do so, City Council must adopt a recommended budget. Should the bid exceed the set budget staff will negotiate and bring back the lowest bid to Franklin City Council. Staff recommends a budget no lower than \$60,000.00.

Councilman Linwood Johnson asked if City Staff could play a role in the removal of the Confederate Monument.

City Manager Jarratt answered the Public Works Department has looked at some of the recommendations that were on the contractor's bid. Public Works has the capability to do some things and some things the department just does not have the expertise available. There is a concern about the age of the statue and the materials.

Councilman Linwood Johnson made a motion to authorize staff to proceed with the issuance of an Invitation for Bids and adopt a budget for the project no lower than \$60,000.00. The motion was seconded by Councilman Gregory McLemore.

Mayor Frank Rabil opened the floor for discussion.

MINUTES FROM THE REGULAR MARCH 22, 2021 CITY COUNCIL MEETING

Councilman Mark R. Kitchen stated he needed to cast his vote because from day one he thinks the taxpayers should not spend one dime of their money to move remove and re-erect the Confederate Monument.

Mayor Frank Rabil requested a roll call vote.

The motion carried the vote by 6-1.

Mayor Frank Rabil stated that the motion passed unanimously.

The vote was as follows:

Mayor Frank Rabil	AYE
Vice-Mayor Bobby Cutchins	AYE
Councilman Linwood Johnson:	AYE
Councilman Mark R. Kitchen	NAY
Councilwoman Wynndolyn Copeland	AYE
Councilman Ray Smith	AYE
Councilman Gregory McLemore	AYE

Southampton County Courthouse Update

City Manager Amanda Jarratt gave the following background information concerning the Southampton County Courthouse:

The Southampton County Courthouse project remains on schedule. The Statement of Qualifications were received from the following companies:

Statements of Qualifications were received from:

1. A. R. Chesson Construction Company
2. Heartland Construction, Inc.
3. Kenbridge Construction
4. Oyster Point Construction
5. W. M. Schlosser
6. Virtexco

Significant research and discussion regarding temporary space for the Circuit Court Clerk of Court and Commonwealth Attorney have continued over the last few months to determine what is most cost efficient and possible giving the time restraints. Due to the impact of COVID-19, and the delay in the court's schedule it is highly unlikely that the Isle of Wight County and City of Suffolk Courthouses will be available during the construction period of the Southampton County Courthouse. As a result, Southampton County has made tentative arrangements with Southampton County Public Schools to utilize the former Hunterdale Elementary school for the temporary office space and court during the construction period. The City is on schedule for our plan of finance for our portion of the associated costs.

Councilman Mark R. Kitchen asked being that Hunterdale Elementary school is located in Southampton County will there be a need for more security.

City Manager Jarratt answered Josh Wyche, Sheriff of Southampton County will move all of the current security equipment to the school for security.

Councilman Ray Smith asked if the City would bear the expense of this transition.

City Manager Jarratt answered the expenses are still being negotiated at this time.

Councilman Linwood Johnson asked if the Southampton County fairgrounds was still being considered to house Juvenile and Domestic Court.

City Manager Jarratt answered that she was informed that the Southampton County fairgrounds did not have sufficient space to house the Juvenile and Domestic Court.

Mayor Rabil asked if the Courthouse Project was on schedule.

City Manager Jarratt answered yes the Courthouse Project is on schedule.

Mayor Rabil asked if the City of Franklin still had representation on the Courthouse Project Committee.

City Manager Jarratt answered yes sir.

City Manger's Report

Special Announcements

City Manager Jarratt asked Brenda Rickman, Commissioner of the Revenue to come forward.

Commissioner Rickman announced that she would be retiring as of December 31, 2021 which will be when her term will expire. Commissioner Rickman has served the City of Franklin for a total of forty-six years.

General Updates

- The COVID-19 cases in the City of Franklin continue to increase, currently we have 1038 positive cases, 52 hospitalizations and 28 deaths. Precautions remain in place and the City of Franklin asks that all citizens continue to follow the recommendations of the Virginia Department of Health and Center for Disease Control. The City continues to monitor the situation in the public as well as the City workforce. The City is also working closely with the Virginia Department of Health on vaccine distribution. Thirty-Three individuals were tested for COVID-19 at the National Guard testing event held on March 17, 2021.
- Governor Ralph Northam announced on February 17, 2021 that Virginians can pre-register for the COVID-19 vaccine online at vaccinate.virginia.gov or by calling 877-VAX-IN-VA. The Commonwealth's new, centralized system allows individuals to easily pre-register for the free vaccine, confirm that they are on the wait list, and learn more about Virginia's vaccination program. State resources are currently not available to assist the City of Franklin with a mass testing event.
- Construction has started on the playground at the Martin Luther King's Center.
- Mrs. June Fleming will be resigning from the Blackwater Regional Library Board.
- City Manager Jarratt stated that originally there was supposed to have been a Budget WorkSession scheduled for March 22, 2021 at 6:00 p.m. but she did not receive any information from City Council concerning the Budget as requested. The public hearing ad for the City of Franklin's budget has to be released on April 14, 2021. She added the budget that was presented to City Council was balanced with an allocation of 4.8 million dollars to the Franklin City Public School system. The request that was attached to your Friday email and the request that Council received tonight is a request for 5.08 million dollars. City Council needs to determine this allocation as soon as possible.

Mayor Frank Rabil entertained a motion for the allocation of the Franklin City Public Schools funding to remain at 4.8 million dollars for budget year 2021 – 2022.

Councilman Ray Smith made a motion for the allocation of the Franklin City Public Schools funding to remain at 4.8 million dollars for budget year 2021 – 2022. The motion was seconded by Mayor Frank Rabil.

Councilman Gregory McLemore stated he does not have a problem with the motion but expressed concerns about Mayor Frank Rabil seconding the motion due to a lack of a second. Councilman Gregory McLemore stated for time's sake he would second the motion.

Mayor Frank Rabil resended his second.

The motion carried the vote by 4-3.

Mayor Frank Rabil stated that the motion passed unanimously.

The vote was as follows:

Mayor Frank Rabil	AYE
Vice-Mayor Bobby Cutchins	AYE
Councilman Linwood Johnson	NAY
Councilman Mark R. Kitchen	NAY
Councilwoman Wynndolyn Copeland	NAY
Councilman Ray Smith	AYE
Councilman Gregory McLemore	AYE

Community Events

The Department of Parks and Recreation will be sponsoring the following programs:

- Spring Break Camp April 5th – 9th for ages 5 – 12. Spaces are limited and individuals should call 757 562-2475 for additional information.
- Spring and Summer athletic leagues are posted on the City of Franklin website. All COVID-19 safety procedures will be followed.

Councilman Gregory McLemore asked when there would be a discussion about the recommendations presented by the Race Relations Committee.

Mayor Frank Rabil answered there would be Race Relations Committee Work Session at 6:00 p.m. on Monday, April 12, 2021.

Council / Staff Reports on Boards / Commissions

Councilman Linwood Johnson reported that the Western Tidewater Regional Jail was in the process of trying to get COVID-19 vaccines for all staff. The Jail now has a piece of equipment that will detect if an individual is trying to sneak a cell phone into the jail.

Mayor Frank Rabil announced the following events:

- The car show is scheduled to start on April 24, 2021
- Staff is working on scheduling We Be Jammin.
- The Farmer's Market is still operating on Saturdays.

City Manager Amanda Jarratt announced that Governor Northam amended the Skill Game Legislation. As of July 1, 2021 skill games will no longer be allowed.

Closed Session

There being no other items to discuss Mayor Frank Rabil entertained a motion to go into Closed Session.

Councilman Mark R. Kitchen moved that the City of Franklin, Virginia City Council adjourn into a closed meeting pursuant to Virginia Code Section 2.2-3711-A-1, 1. Discussion of appointments to boards and commissions, to discuss the following subject or subjects: Industrial Development Authority and Social Services Advisory Board; and

2.2-3711-A-3, Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body specifically regarding property in Downtown Franklin and along Fairview Drive.

2.2-3711-A-5, Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community specifically along Pretlow Industrial Park, Armory Drive, and Franklin Regional Airport.

2.2-3711-A-7, Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body specifically regarding wastewater treatment.

The motion was seconded by Councilwoman Wynndolyn Copeland.

The motion carried the vote by 7-0.

Mayor Frank Rabil stated that the motion passed unanimously.

Franklin City Council proceeded into closed session at 8:03 p.m.

Motion Upon Returning to Open Session

Councilman Mark R. Kitchen moved that the City of Franklin, Virginia City Council adopt the attached closed meeting resolution to certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting held on March 22, 2021; (ii) only such public business matters as ere identified in the motion convening the closed meeting were heard, discussed or considered by the City of Franklin, Virginia City Council; and (iii) no action was taken in closed meeting regarding the items discussed.

The motion was seconded by Councilwoman Wynndolyn Copeland.

Adjournment

There being no further items to discuss Councilwoman Wynndolyn Copeland made a motion to adjourn the March 22, 2021 regular City Council meeting.

The motion was seconded by Councilman Linwood Johnson.

The March 22, 2021 regular City Council adjourned at 9:07 p.m.

Mayor

Clerk to City Council



RESOLUTION #2021-05
CHILD ABUSE PREVENTION MONTH

WHEREAS, as the City of Franklin begins to emerge from a year of unprecedented stress and hardship, children and families need our support more than ever. The confluence of a devastating pandemic and the worst economic crisis in nearly a century have increased the risk for child abuse and neglect as citizens' grapple with compounding challenges of school and child care facility closures, social isolation and increased financial instability, and;

WHEREAS, during National Child Abuse Prevention Month, and throughout the entire year, it is imperative that the City of Franklin combats child abuse in all of its forms – through neglect, mistreatment, or physical, emotional, or sexual abuse, and;

WHEREAS, National Child Abuse Prevention Month is a time for us to not only honor those who work to support children and strengthen families, but to shine a light on the many ways we can all play a role in preventing children from being harmed. the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

WHEREAS, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community.

THEREFORE, I DO HEREBY PROCLAIM, April 2021 as National Child Abuse Prevention Month and call upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and neglect and strengthening the communities in which we live.

NOW THEREFORE I, Frank M. Rabil, Mayor; do hereby recognize April 2021 as Child Abuse Prevention Month in the City of Franklin, Virginia and I call this observance to the attention of all our citizens.

Proclaimed this 12th Day of April, 2021.

Frank M. Rabil, Mayor



Resolution #2021 -06

April 11 – 17, 2021

WHEREAS, as a vital part of the Franklin Police Department, the employees of Animal Control are instrumental in protecting the public from dangerous animals, and

WHEREAS, these valuable employees are also dedicated to the rescue of endangered animals, the return of lost animals to their homes and partner with other organizations to find animals loving new homes where appropriate; and

WHEREAS, the National Animal Care and Control Association is committed to the professional development of its members through training, advocacy and development of best practices; and

WHEREAS, the association has designated the second full week in April as an appropriate time to recognize these valued public safety servants.

NOW, THEREFORE BE IT RESOLVED, that the City Council of Franklin declares the week of April 11 through 17, 2021, to be National Animal Care and Control Appreciation Week in Franklin, Virginia, in honor of the men and women whose diligence and professionalism keep our City and citizens safe.

National Animal Care and Control Appreciation Week

Given under my hand this 12th day of April 2021.

Frank M. Rabil, Mayor



Resolution #2021 – 07

National Public Safety Telecommunicators Week

April 11 – 17, 2021

WHEREAS, this week is a time to show our appreciation and to recognize that our health; safety, and well-being are often dependent on the commitment and steadfast devotion of Public Safety Telecommunicators, because emergencies can occur at any time that require police, fire, emergency medical service, or other critical services; and,

WHEREAS, when an emergency occurs the prompt response of law enforcement, firefighters, and medical personnel is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the City of Franklin, police – fire- ems communications center; and,

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and,

WHEREAS, Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and,

WHEREAS, Public Safety Telecommunicators of the City of Franklin have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and treatment of patients; and,

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

NOW, THEREFORE BE IT RESOLVED, that the City Council of Franklin, Virginia declares the week of April 11 through 17, 2021 to be National Public Safety Telecommunicators Week in Franklin, Virginia, in honor of the men and women whose diligence and professionalism keep our City and citizens safe.

Given under my hand this 12th day of April 2021.

Frank M. Rabil, Mayor

BUDGET AMENDMENT 2021-24

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2020-2021 City Budget is hereby amended to:

1. *Appropriate surplus funds to pay for increased payment to Southampton County for Industrial Corridor Revenue Sharing payment. Increased payment due to increased local revenue in FY20 4th quarter and delayed receipt of capital purchases due to COVID, therefore not chargeable to the County.*
2. *In FY20, the debt service payment savings related to the refinancing was credited to the General Fund, therefore not available to be budgeted in the Debt Fund. This budget amendment appropriates surplus funds to eliminate the use of restricted fund balance in the Debt Fund.*
3. *Appropriate surplus funds to pay for final QZAB sinking fund payment not on amortization schedule. In addition, appropriate funds from restricted fund balance to pay 2005 QZAB that matured in December 2020.*
4. *Budget for FY21 revenues for the Regional Fire Training Fund and to appropriate such revenues for use; and*
5. *Appropriate funds to pay pro rata fees paid to the developer for the Riverwood Estates Subdivision pursuant to the City's Pro Rata Policy.*

	2020-2021 BUDGET	AMENDED BUDGET	INCREASE (DECREASE)
#1			
100 GENERAL FUND			
REVENUE			
100-3-12110-0001 Restaurant Meals Tax	\$ 1,233,500	1,433,500	\$ 200,000
			<u>\$ 200,000</u>
EXPENDITURES			
100-4-91300-5672 Industrial Corridor Revenue Sharing	\$ 500,000	\$ 700,000	\$ 200,000
			<u>\$ 200,000</u>
#2			
100 GENERAL FUND			
REVENUE			
100-3-12010-0001 Local Sales and Use Taxes	\$ 1,450,000	\$ 1,737,367	\$ 287,367
			<u>\$ 287,367</u>
EXPENDITURES			
100-4-93100-9291 Transfers to General Debt Fund	\$ 318,618	\$ 516,240	\$ 197,622
100-4-93100-9262 Transfers to School Debt Fund	471,388	561,133	89,745
			<u>\$ 287,367</u>
401 GENERAL DEBT FUND			
REVENUE			
401-3-41050-0105 Use of Restricted Fund Balance	\$ 197,622	\$ -	\$ (197,622)
401-3-41050-0100 Transfer From General Fund	318,618	516,240	197,622
			<u>\$ -</u>

**402 SCHOOL DEBT FUND
REVENUE**

402-3-41050-0300	Use of Restricted Fund Balance	\$ 89,745	\$ -	\$ (89,745)
402-3-41050-0100	Transfers from General Fund	471,388	561,133	89,745
				<u>\$ -</u>

#3

**100 GENERAL FUND
REVENUE**

100-3-12010-0001	Local Sales and Use Taxes	\$ 1,737,367	\$ 1,761,176	\$ 23,809
				<u>\$ 23,809</u>

EXPENDITURES

100-4-93100-9262	Transfers to School Debt Fund	\$ 561,133	\$ 584,942	\$ 23,809
				<u>\$ 23,809</u>

**402 SCHOOL DEBT FUND
REVENUE**

402-3-41050-0300	Use of Restricted Fund Balance	\$ -	\$ 1,992,980	\$ 1,992,980
402-3-41050-0100	Transfers from General Fund	561,133	584,942	23,809
				<u>\$ 2,016,789</u>

EXPENDITURES

402-4-40950-9110	Principal Payments	\$ -	\$ 2,016,789	\$ 2,016,789
				<u>\$ 2,016,789</u>

#4

**209 REGIONAL TRAINING CENTER
REVENUE**

209-3-15020-0001	Rental of Training Center	\$ -	\$ 6,000	\$ 6,000
				<u>\$ 6,000</u>

EXPENDITURES

209-4-32100-3217	Repairs & Maintenance	\$ -	\$ 3,750	\$ 3,750
209-4-32100-5110	Electrical Services	-	2,000	2,000
209-4-32100-5304	Property Insurance	-	250	250
				<u>\$ 6,000</u>

#5

501 WATER & SEWER FUND

REVENUE

501-3-16190-1105	Water Connection Fees	\$	-	\$	7,000	\$	7,000
501-3-16190-1106	Sewer Connection Fees		-		9,000		<u>9,000</u>
							<u>\$ 16,000</u>

EXPENDITURES

501-4-44112-3210	Pro Rata Connection Fees	\$	-	\$	7,000	\$	7,000
501-4-44113-3210	Pro Rata Connection Fees		-		9,000		<u>9,000</u>
							<u>\$ 16,000</u>

Certified copy of resolution adopted by Franklin City Council.

Clerk to the City Council

City of Franklin
Local Revenue Projections
March 31, 2021

MODIFIED ACCRUAL BASIS

Projection for 3.31.21	Budget	Adjusted Actual @ 3.31.21	Projected Actual @ 6.30.21	Projected Excess (Deficit)	Proposed Budget Amendment 2021-24	Adjusted Projected Excess (Deficit)
Meals Taxes	\$ 1,233,500	\$ 1,292,793	\$ 1,723,724	\$ 490,224	(200,000)	\$ 290,224
Lodging Taxes	128,000	126,785	169,047	41,047		41,047
Cigarette Taxes	292,000	257,850	343,800	51,800		51,800
Sales Taxes	1,450,000	1,531,608	2,042,143	592,143	(329,367)	262,776
	<u>\$ 3,103,500</u>	<u>\$ 3,209,036</u>	<u>\$ 4,278,714</u>	<u>\$ 1,175,214</u>	<u>\$ (529,367)</u>	<u>\$ 645,847</u>
		<u>103.4%</u>				



*Office of the City Manager
Amanda C. Jarratt*

April 6, 2021

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: Plan of Finance Update

Background Information

Attached as a reminder the schedule for the 2021 financing package which includes the City of Franklin's portion of the Southampton County Courthouse and some equipment and remodeling of the City of Franklin Health Department. In order to remain on schedule Franklin City Council should officially authorize a public hearing to be conducted at the May 10th City Council meeting. The calendar and process as outlined was authorized at a previous meeting.

Needed Action

Authorize the public hearing for the 2021 financing to occur at the May 10th meeting of Franklin City Council.

City of Franklin, Virginia

2021 Financing Schedule

Draft as of March 9, 2021



March 2021							April 2021							May 2021							June 2021							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
	1	2	3	4	5	6					1	2	3							1				1	2	3	4	5
7	8	9	10	11	12	13	4	5	6	7	8	9	10	2	3	4	5	6	7	8	6	7	8	9	10	11	12	
14	15	16	17	18	19	20	11	12	13	14	15	16	17	9	10	11	12	13	14	15	13	14	15	16	17	18	19	
21	22	23	24	25	26	27	18	19	20	21	22	23	24	16	17	18	19	20	21	22	20	21	22	23	24	25	26	
28	29	30	31				25	26	27	28	29	30	23	24	25	26	27	28	29	27	28	29	30					
													30	31														

Working Group

Role	Entity
Borrower	City of Franklin, Virginia
Financial Advisor	Davenport & Company LLC
Bond Counsel	Sands Anderson PC
Lender	TBD

Date	Task
Week of Monday, March 15	<ul style="list-style-type: none"> Davenport works with City Staff and Bond Counsel to develop a Direct Bank Loan Request for Proposals ("RFP").
Monday, March 22	<ul style="list-style-type: none"> Davenport distributes Direct Bank Loan RFP to local, regional, and national banking institutions.
Monday, April 12 7:00 PM	<p>Franklin City Council Meeting</p> <ul style="list-style-type: none"> City Council schedules a Public Hearing regarding the issuance of the 2021 Financing to be held at the May 10 meeting of City Council.
TBD	<ul style="list-style-type: none"> Sands Anderson works with City Staff to publish a Notice of Public Hearing (1st of 2).
TBD	<ul style="list-style-type: none"> Sands Anderson works with City staff to publish a Notice of Public Hearing (2nd of 2).
Thursday, April 15	<ul style="list-style-type: none"> Direct Bank Loan RFP responses due to Davenport.
Monday, April 26 7:00 PM	<p>Franklin City Council Meeting</p> <ul style="list-style-type: none"> Davenport presents results of the Direct Bank Loan RFP process. No City Council action required at this time.
Monday, May 10 7:00 PM	<p>Franklin City Council Meeting</p> <ul style="list-style-type: none"> Public Hearing regarding the issuance of the 2021 Financing. City Council considers approval of the 2021 Financing and the winning bidder(s).
Mid May	<ul style="list-style-type: none"> If Direct Bank Loan proposals are unsatisfactory, begin the process of a preparing for a bond sale in the public credit markets.
By Tuesday, June 1	<ul style="list-style-type: none"> Close on the 2021 Financing, if Direct Bank Loan option is selected.



Municipal Advisor Disclaimer

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*Office of the City Manager
Amanda C. Jarratt*

April 6, 2021

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: City of Franklin Purchasing Policies and Procedures

Background Information

These City of Franklin Purchasing Policies and Procedures (the “Policies and Procedures”) are adopted pursuant to Section 2.2-4302 of the Code of Virginia, 1950, as amended. These Policies and Procedures and the Virginia Public Procurement Act (the “VPPA”, Sections 2.2-4300 through -4383 of the Code of Virginia, 1950, as amended, and as it may be amended from time to time), govern all City of Franklin purchasing transactions. All section references in the Purchasing Policies and Procedures document are to the Code of Virginia, 1950, as amended. In case of discrepancies between these Policies and Procedures and the VPPA, the VPPA requirements shall always prevail.

The Purchasing Department is authorized to develop and maintain forms to implement these Policies and Procedures that are included within the policy document. The main change from the current document is increasing the requirement for the issuance of a Request for Proposals for goods, nonprofessional services and/or non-transportation-related construction from \$30,000.00 to \$100,000.00.

Needed Action

Adopt the updated Purchasing Policy as presented.



CITY OF FRANKLIN PURCHASING POLICIES AND PROCEDURES

Adopted: April 19, 2021

**Administered by
City of Franklin
Purchasing Department**

*These City of Franklin Purchasing Policies and Procedures
supersede all prior policies, including the
"Purchase & Procurement Manual"
adopted November 10, 2014.*

1. INTRODUCTION/AUTHORITY

These City of Franklin Purchasing Policies and Procedures (the “Policies and Procedures”) are adopted pursuant to the Virginia Public Procurement Act (the “VPPA”, Sections 2.2-4300 through -4383 of the Code of Virginia, 1950, as amended, and as it may be amended from time to time). All section references in this document are to the Code of Virginia, 1950, as amended. In case of discrepancies between these Policies and Procedures and the VPPA, the VPPA requirements shall prevail.

The Purchasing Department is authorized to develop and maintain forms to implement these Policies and Procedures that are consistent therewith.

2. EFFECTIVE DATE

These Policies and Procedures shall take effect immediately upon adoption.

3. DEFINITIONS

- A. For purposes of these Policies and Procedures, the following words and phrases shall have the following meanings ascribed to them by City of Franklin.

“*Department Head*” collectively refers to City Department Heads, Constitutional Officers, or other staff as authorized by the City Manager.

“*Invitation for Bids (IFB)*” is the document used to solicit formal bids for large purchases where the award is determined by the lowest responsive and responsible bidder. Bids are sealed.

“*Large Purchase*” is a purchase for (1) goods and nonprofessional services in which the aggregate cost or the sum of all phases is \$100,000 or greater, (2) professional services in which the aggregate cost or the sum of all phases is \$80,000 or greater, or (3) transportation-related construction in which the aggregate cost or the sum of all phases is \$25,000 or greater.

“*Micro purchase*” is a purchase under \$5,000. Micro purchases shall not require competitive bidding or competitive negotiation, although competition is encouraged, wherever practicable.

“*Non-Transportation-Related Construction*” is a construction project that does not require Virginia Department of Transportation approval.

“*Purchasing Department*” and/or “*Purchasing Agent*”, for the purposes of these Policies and Procedures, means the Director of Finance and/or his/her designee.

“*Request for Proposals (RFP)*” is the document used to solicit formal proposals for large purchases where the award is based on factors other than price, but where price is still a factor.

“Request for Quotations (RFQ)” is the document used to solicit informal quotes or proposals for small purchases. The winning quote or proposal is determined by either the lowest price or other determining factors listed in the solicitation. Quotes and proposals are unsealed.

“Small Purchase” is a purchase for (1) goods, nonprofessional services and non-transportation-related construction in which the aggregate cost or the sum of all phases is not expected to exceed \$100,000, (2) professional services in which the aggregate cost or the sum of all phases is not expected to exceed \$80,000, or (3) transportation-related construction in which the aggregate or sum of all phases is not expected to exceed \$25,000.

“Transportation-Related Construction” means building, altering, repairing, improving, or demolishing any improvement that facilitates the movement and safety of people and/or goods. .

“Written; writing; writings; in writing” shall include any representation of words, letters, symbols, numbers, or figures, whether (i) printed or inscribed on a tangible medium or (ii) stored in an electronic or other medium and retrievable in a perceivable form and whether an electronic signature authorized by Chapter 42.1 (§et seq.) of Title 59.1 is or is not affixed. (*Code of Virginia*, § 1-13.32)

- B. For purposes of these Policies and Procedures, the following words and phrases shall have the meanings ascribed to them by the VPPA.

“Best value” as predetermined in the solicitation, means the overall combination of quality, price, and various elements of required services that, in total, are optimal relative to City needs.

“Construction” means building, altering, repairing, improving, or demolishing any structure, building or highway, and any draining, dredging, excavation, grading or similar work upon real property.

“Goods” means all material, equipment, supplies, printing, and automated data processing hardware and software.

“Nonprofessional services” means any services not specifically identified as professional services in the definition of professional services.

“Professional services” means work performed by an independent contractor within the scope of the practice of accounting, actuarial services, architecture, land surveying, landscape architecture, law, dentistry, medicine, optometry, pharmacy or professional engineering.

“Responsible bidder” or *“offeror”* means a person who has the capability, in all respects, to perform fully the contract requirements and the moral and business integrity and reliability that will assure good faith performance, and who has been prequalified, if required.

“Responsive bidder” means a person who has submitted a bid that conforms in all material respects to the Invitation to Bid.

“Reverse auctioning” means a procurement method wherein bidders are invited to bid on specified goods or non-professional services through real-time electronic bidding, with the award being made to the lowest responsive and responsible bidder. During the bidding process, bidders’ prices are revealed, and bidders shall have the opportunity to modify their bidprices for the duration of the time period established for bid opening.

“Services” means any work performed by an independent contractor wherein the service rendered does not consist primarily of acquisition of equipment or materials, or the rental of equipment, materials and supplies.

4. DELEGATED AUTHORITY

Department Heads, or their designees, have the delegated authority to make micro purchases of less than \$5,000 without prior approval from the Purchasing Department. For all purchases \$5,000 and over, a completed Purchase Requisition Form shall be sent to the Purchasing Department for procuring goods and services. Purchase Requisitions shall be submitted at least 5 days prior to need-by date for purchases over \$5,000. In the event that a Purchase Requisition is received outside of these parameters, the Purchasing Department, at its sole discretion, may waive the deadline.

5. GENERAL PROCUREMENT GUIDELINES

- A. Tax Exempt - City of Franklin is exempt from sales tax for goods/services purchased in or delivered to Virginia; however, retail sales of prepared meals, charges for lodging and purchases of goods in other states are subject to sales tax. All staff making purchases on behalf of City of Franklin, no matter the dollar amount, are responsible for ensuring that no taxes are added to tax exempt purchases. If taxes are added to an exempt purchase, the employee who made the purchase is responsible for seeing that taxes are removed, or credit received. Failure to remove taxes could result in the employee personally paying for taxes on that purchase. Tax exempt forms are available from the Purchasing Department.
- B. Any authorized online purchases shall be made from an account that is set up with tax exempt status. The Purchasing Department is the only department allowed to setup online accounts on behalf of the City. An employee’s email address may not be used to setup an online account, unless prior authorization is provided. See the Purchasing Charge Card Program Policy for details regarding purchases using the City’s PCards.
- C. Proposed purchases must be included in the City’s budget.
- D. A current IRS Form W-9 must be obtained from each vendor with which the City does business. All corporations must have an active registration with the State Corporation Commission, if required. All vendors providing a service must have a current business license and certificate of insurance.
- E. Split purchases are strictly prohibited. A split purchase is one in which the original purchase requirement for the same or similar goods or services is broken into multiple smaller purchases in order to avoid going through the formal procurement process. If the Purchasing Department deems a department to be conducting split purchasing, the Purchasing Department may require such department to go through the Purchasing Department to procure all expenditures, regardless of amount.

F. Any contract awarded that will be paid for using federal funds shall comply with all applicable federal procurement standards. City of Franklin's Terms and Conditions for Federally Funded Projects shall be included with each contract or purchase order. Credit card payments for federal or state funded projects, must be made using a non- rebate credit card. Department PCards may not be used for this purpose. Departments should see the Purchasing Department for the proper credit card.

G. Any contract awarded that will be paid for using federal funds shall comply with all applicable federal procurement standards 2 C.F.R §§200.317-200.326. The City of Franklin's Terms and Conditions for Federally Funded Projects shall be included with each contract or purchase order. Credit card payments for federal or state funded projects, must be made using a non- rebate credit card. Department PCards may not be used for this purpose.

6. SMALL PURCHASE PROCUREMENT

Pursuant to Section 2.2-4303, the following guidelines shall apply to single or term contracts (i) for goods, nonprofessional services, and non-transportation-related construction in which the aggregate cost or the sum of all phases is not expected to exceed \$100,000, (ii) for professional services in which the aggregate cost or the sum of all phases is not expected to exceed \$80,000 and (iii) transportation-related construction in which the aggregate or sum of all phases is not expected to exceed \$25,000. A summary chart of these small purchase guidelines is attached as **EXHIBIT A**.

The sum of a purchase equals the total cost for all phases or terms. Example: If a contract is for 3 years, the sum of the purchase = [cost per year] x 3. This total shall be used when determining how to procure a product/service.

A. Goods, Nonprofessional Services and/or Non-Transportation-Related Construction Not To Exceed \$100,000

i. \$0.00 - \$4,999.99 (Micro Purchase)

Staff, with authority and approval of Department Head or designee to proceed, shall obtain a minimum of one (1) documented quote before purchasing any goods or services. Quotes must document vendor name, name of vendor's representative, date, phone number, and price quoted. Staff is encouraged, but not required, to obtain more than one quote. Staff shall make award to the vendor with the best price and shall place orders.

ii. \$5,000.00 - \$9,999.99

Staff, with authority and approval of Department Head or designee to proceed, shall solicit quotes/proposals by written means from a minimum of three (3) vendors. Once quotes are received, the staff will check and document references and certifications. The Department Head or designee will submit to the Purchasing Department a completed Purchase Requisition detailing the goods/services needed along with all the quote information and documented reference and certifications. Upon verification of funding by the Director of Finance, the Purchasing Department shall make award to the lowest responsive and responsible vendor or best value and issue a Purchase Order.

For all construction projects the Purchasing Agent shall prepare a Contract which shall be approved as to form by the City Attorney and signed by the vendor and City Manager. The Purchasing Department shall provide a copy of the Contract to the Department Head upon

execution.

iii. \$10,000.00 - \$99,999.99

Upon verification of funding by the Director of Finance, staff shall solicit quotes/proposals by written means from a minimum of three (3) vendors. Once quotes are received, the staff will check and document references and certifications. The Department Head or designee will submit to the Purchasing Department a completed Purchase Requisition detailing the goods/services needed along with all the quote information and documented reference and certifications. The Purchasing Department shall make award to the lowest responsive and responsible vendor or best value and issue a Purchase Order.

The Purchasing Agent shall prepare a Contract which shall be approved as to form by the City Attorney and signed by the vendor and City Manager. The Purchasing Agent shall also issue a Purchase Order. The Purchasing Department shall provide a copy of the Contract to the Department Head upon execution.

B. Professional Services Not To Exceed \$80,000

i. \$0.00-\$4,999.99

Staff, with authority and approval of the Department Head or designee and the Purchasing Department, shall obtain a minimum of one (1) documented proposal. Proposals must document vendor name, name of vendor's representative, date, phone number, detailed description of services to be provided and price. Staff are encouraged, but not required, to obtain more than one proposal. Once references, certifications and insurance are checked, the Purchasing Department shall prepare a Purchase Order, incorporating the vendor's proposal and the City's Terms and Conditions. The Purchase Order shall be approved by the City Manager.

ii. \$5,000.00-\$79,999.99

Department Heads or designees shall submit to the Purchasing Department a completed Purchase Requisition detailing the services needed. Upon verification of funding by the Director of Finance, the Purchasing Department shall prepare a Request for Proposals (RFP) including the City's General Terms and Conditions. RFPs shall be posted on eVA and/or the City website and may be sent to local vendors that provide the service. Proposals shall be solicited from a minimum of three (3) vendors. Department Head or designee and Purchasing Agent together shall evaluate all proposals based on criteria as set out in the RFP and then shall enter into negotiations with the offeror who, in their opinion, submitted the best proposal. Upon satisfactory negotiations, the City shall extend an offer of contract award. The Purchasing Agent shall prepare a Contract which shall be approved as to form by the City Attorney and signed by the vendor and the City Manager. The Purchasing Agent shall also issue a Purchase Order.

C. Transportation-Related Construction Not To Exceed \$25,000

Follow procedures set forth in Section 6.A. If cost is \$25,000 or greater, see Section 7.C.

7. LARGE PURCHASE PROCUREMENT

A. Goods, Nonprofessional Services and/or Non-Transportation Related Construction Where The Sum Of All Phases/Contract Periods Is Expected To Exceed \$100,000

i. Competitive Sealed Bidding: Invitation For Bids (“IFB”)

Department Heads or designees shall submit to the Purchasing Department a completed Purchase Requisition detailing the goods/services needed. The Purchasing Department shall use the information to prepare the Invitation for Bids (IFB), which shall set out the specifications and contractual terms and conditions applicable to the procurement. The IFB shall be approved by the City Attorney prior to issuance. Sealed bids shall be due to the City at a specified date and time.

After the deadline for receipt of bids, the Purchasing Department shall review all bids, shall determine the lowest responsive and responsible bidder(s), and shall recommend to the City Manager that one or more contracts be awarded to such bidder(s). The contract(s) must be approved by the City Attorney (as to form) and signed by the vendor, and the City Manager. The Purchasing Agent shall issue a Purchase Order.

Multiple contracts may be awarded only when provided for in the IFB.

Construction may be procured only by competitive sealed bidding except as defined in Section 2.2-4303(D) of the VPPA.

ii. Competitive Negotiation: Request For Proposals (“RFP”)

If competitive sealed bidding for goods and/or nonprofessional services is either not practicable or not fiscally advantageous to the public, the Department Head or designee may request that the Purchasing Department permit competitive negotiation for the procurement. See 7.B. below for the competitive negotiation process, with one difference: when using competitive negotiation for goods and/or nonprofessional services, the pricing/cost of services may be requested in the RFP. Pricing/cost of services may be a criterion on which the decision shall be based, but it need not be the sole or primary basis for the decision.

Construction may not be procured by competitive negotiation except as defined in Section 2.2-4303(D) of the VPPA.

B. Professional Services Where The Sum Of All Phases/Contract Periods Is Expected To Exceed \$80,000

Competitive Negotiation: Request For Proposals

Department Heads or designees shall submit to the Purchasing Department a completed Purchase Requisition detailing the services needed. Department Heads or designees shall work with the Purchasing Department to provide any specification or other information necessary. The Purchasing Department shall use the information to prepare Request for Proposals (RFP), which shall set out the specifications, contractual terms and conditions, and criteria used to evaluate proposals. The RFP shall be approved by the City Attorney prior to issuance. Proposals shall be due to the City at a specified date and time.

After the deadline for receipt of proposals, a committee shall evaluate all proposals based on the criteria set out in the RFP and shall determine which offeror, in their opinion, submitted the best proposal. Then, the committee shall enter into negotiations with such offeror. Non-binding estimates of total project costs (including man-hours) and/or price for services may be discussed beginning with the “negotiation stage”. Upon satisfactory negotiations with the offeror, the committee shall recommend to the City Manager that a contract be awarded to the offeror. The contract must be approved by the City Attorney (as to form) and signed by the Offeror and the City Manager. The Purchasing Agent shall issue a Purchase Order.

C. Transportation-Related Construction Where The Sum Of All Phases/Contract Periods Is Expected To Exceed \$25,000

Follow procedures set forth in Section 7.A.i.

8. ARCHITECTURAL & ENGINEERING SERVICES

City of Franklin may procure annual term contracts with multiple architectural & engineering firms using the RFP procedures set out in 7.B. above. During the contract term, projects should be distributed among the selected contractors according to demonstrated areas of experience and expertise, time for deliverables, and familiarity with like projects. All projects shall have a written task order, issued by the Purchasing Department, which clearly outlines the scope of work to include projected timeline and cost, using fair and reasonable prices, as negotiated. The fee for any single project shall not exceed \$150,000. The sum of all projects performed in one contract term (one year) shall not exceed \$750,000.

No funds shall be expended on any architectural and engineering services related to a specific capital project without prior approval by the City Manager.

9. INFORMATION TECHNOLOGY PROCUREMENT

All Purchase Requisitions and applicable specifications for information technology equipment and services, including but not limited to computers, printers, telephones, mobile devices, hardware and software, must first be reviewed by the City’s Director of Information Technology.

10. CONTRACTS AND APPROVALS

A Purchase Order shall be issued for all purchases over \$5,000 by the Purchasing Department. Other departments are not permitted to issue Purchase Orders over \$5,000. Any procurement for goods or services costing \$10,000 or more shall require a written contract. All written contracts require approval and signature by the City Attorney and City Manager. Only the City Manager has final authorization to sign any contracts, quotes or agreements regardless of amount.

Any contract amendments or change orders shall be reviewed by the Purchasing Department and approved by the City Manager and City Attorney prior to incurring additional expenses and/or completing work. No fixed-price contract may be increased by more than twenty-five percent (25%) or \$50,000, whichever is greater, without advance approval of the City Manager.

11. ELECTRONIC SUBMISSION ACCEPTANCE

The City may accept electronic submissions from vendors via eVA or other secured electronic procurement solution for all small purchases and for solicitations that use competition negotiations. Submissions shall be received by the date/time set for the deadline as listed in the solicitation.

12. RECEIPT OF GOODS/SERVICES AND PAYMENT OF INVOICES

Upon execution of a Contract or Purchase Order, the Department Head or his/her designee shall oversee the product receipt or service completion.

Upon receipt of goods/services, department shall verify that all goods/services were received and in good condition. Anything missing, damaged, incomplete or not satisfactory to the Contract shall be reported to the Vendor immediately.

The Department Head or designee shall review invoices; sign off once item(s) is/are received in satisfactory condition; and submit invoices to Accounts Payable for payment. Accounts Payable shall pay vendors following submittal by Department Head or designee of approved invoice.

All invoices shall be sent from the vendor to Accounts Payable, City of Franklin, 207 West 2nd Avenue, Franklin VA 23851 or emailed to acctspayable@franklinva.com.

13. DEBARMENT (SECTION 2.2-4321)

The City Manager may debar contractors from contracting for particular types of goods, services, insurance or construction. A debarred contractor may not enter into negotiations to contract with the City or make an offer, proposal or bid in response to a Request for Proposals, an Invitation to Bid or any other form of solicitation by the City, for supplies, services, insurance or construction. Debarment of a contractor applies to any successor company formed with the same resources, owners or stockholders as the debarred entity.

Grounds for debarment include:

- A. Conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract.
- B. Conviction under state and federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property or any other offense indicating a lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a City contractor.
- C. Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals.
- D. Violation of contract provisions, as set forth below, of a character which is regarded by the board of supervisors to be so serious as to justify debarment action:
 - i. Deliberate failure, without good cause, to perform in accordance with the specifications or within the time limit provided in the contract; or
 - ii. A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts; provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment.
- E. Any other cause the City Manager determines to be as serious and compelling as to affect responsibility as a contractor, including debarment by another governmental entity for any cause and violation of the ethical standards set forth in this chapter.

The Purchasing Department shall establish procedures for the prompt reporting, investigation and referral of matters appropriate for consideration.

The steps in the debarment process are as follows:

- A. Once the City Manager or his designee becomes aware of information that a contractor should be debarred, he or his designee shall review the information with the Purchasing Department and shall determine the minimum debarment period. The minimum debarment period shall be commensurate with the seriousness of the cause.
- B. The City shall inform the contractor of the debarment by letter signed by the City Manager and/or designee, sent certified mail, return receipt required, stating the reasoning for debarment and the minimum length of time that the contractor shall be debarred.
- C. The contractor shall have five (5) business days following receipt of the written letter in which to request a meeting with the City at which he/she shall be allowed to present written or oral evidence as to why the debarment should not occur.
- D. Upon the expiration of time for appeal, or upon the affirmation of the debarment penalty, as applicable, the City shall cause the contractor's name to be placed on the debarment list maintained in the Purchasing Department.
- E. After a contractor's minimum debarment period expires, the contractor may request in writing to the City Manager that the contractor wishes to have his name removed from the debarment list and to be reinstated as eligible to conduct business with the City. The contractor may include information supporting his reinstatement request.
- F. The City Manager or designee shall review the debarred contractor's written request and shall notify the debarred contractor of his decision concerning reinstatement within ten (10) business days of receipt of said request.

14. PREQUALIFICATION (SECTION 2.2-4317)

City of Franklin may utilize prequalification procedures as set forth in the VPPA, Section 2.2-4317.

15. DESIGN/BUILD AND/OR CONSTRUCTION MANAGEMENT (CHAPTER 43.1)

City of Franklin may enter into design-build or construction management contracts as set forth in Chapter 43.1 of the Code of Virginia.

16. EMERGENCY PROCUREMENT PROCEDURES (SECTION 2.2-4303(F))

Emergency procurement may be used to procure goods and services without the use of competitive sealed bidding or competitive negotiations. Emergency procurement may be used only in cases of emergency affecting public health, safety or welfare.

Term contracts for emergency goods and services shall be procured and kept up-to-date. It is recommended that all annual maintenance contracts contain emergency rates and clauses in them. The City shall make best efforts to use all available term, local, and cooperative contracts before using emergency procurement.

When procurement is necessary for immediate life and safety of a human being or recovery needs and when the Procurement Policy cannot be reasonably followed, after advising the Purchasing Department, the Department Head shall use the Emergency Procurement Determination Form to provide a written determination of the basis for the emergency and for the selection of the particular contractor. This written determination shall be included in the purchasing file. In addition, on the day that the contract award decision is announced (or as soon thereafter as practicable) a public notice shall be posted on the City website and/or on eVA stating that the contract is being awarded on an emergency basis, identifying that which is being procured, identifying the contractor selected, and the date on which the contract was (is being) awarded. When practicable under the circumstances, such procurement shall provide for competition and follow applicable procedures set forth in Sections 6 and 7. A purchase that may be eligible for reimbursement by FEMA or other federal funds, shall follow Section 5.G.

To the extent possible, equipment needed for emergency purposes shall be rented only, not purchased. The Federal Emergency Management Agency (“FEMA”) and other disaster recovery agencies may not reimburse the purchase of equipment.

Refer to the Code of Virginia §44-146.18:1, the Virginia Department of Emergency Management website at www.vdem.virginia.gov, and FEMA’s website at www.fema.com for additional information.

17. SOLE SOURCE PROCUREMENT (SECTION 2.2-4303(E))

In cases where only one source (vendor) is practically available to provide the goods or services being procured, sole source procurement may be used. In sole source procurement, a contract may be negotiated and awarded to the sole source provider without competition.

When sole source procurement is necessary due to a lack of availability of alternate sources for a good or service, the Department Head shall advise the Purchasing Department of the need for sole source procurement and shall document the reasons sole source procurement is necessary on the Sole Source

Justification Form. Reasonable efforts should be made to obtain other quotes on substantially similar good or services prior to making a determination. The Sole Source Justification Form shall be included in the purchasing file. A public notice shall be posted on the City website and/or on eVA stating that the contract is being awarded to a sole source provider, identifying the goods and/or services procured, identifying the contractor selected, and stating the date on which the contract is or was awarded on the day that the contract award decision is announced (or as soon thereafter as practicable). Upon award, the contract shall be processed per Section 10.

18. COOPERATIVE PROCUREMENT (SECTION 2.2-4304)

City of Franklin may participate in, sponsor, conduct or administer a cooperative procurement agreement on behalf of or in conjunction with one or more public entities provided that such cooperative procurement complies with the VPPA. Department Heads or designees shall submit to the Purchasing Department a completed Purchase Requisition detailing the goods/services needed, noting their request for use of cooperative procurement, and include the Cooperative Procurement Checklist and all attachments to the Purchasing Department for review. Contracts shall be processed per Section 10.

19. PUBLIC, ONLINE AND REVERSE AUCTIONING (SECTION 2.2-4303 (H), (I))

City of Franklin may utilize public, online and/or reverse auctioning provided that such procurement complies with the VPPA. Department Heads' requests to use public, online and/or reverse auctioning shall be handled by the Purchasing Department on an individual basis.

20. SMALL BUSINESSES AND BUSINESSES OWNED BY WOMEN AND MINORITIES (SWAM) AND DISABLED VETERANS (SECTION 2.2-4310)

City of Franklin shall not discriminate against any bidder or offeror because of race, religion, color, sex, sexual orientation, gender identity, national origin, age, disability, status as a service disabled veteran, or any other basis prohibited by state law relating to discrimination in employment. In order to facilitate the participation of small businesses and businesses owned by women and minorities and disabled veterans in procurement transactions, City of Franklin either shall include businesses selected from a list made available by the Department of Small Business and Supplier Diversity (<http://www.dsbsd.virginia.gov>) whenever solicitations are made and/or post the solicitation on the Commonwealth of Virginia's electronic procurement website (eVA) at <http://www.eva.virginia.gov>.

21. ETHICS IN PUBLIC CONTRACTING (SECTIONS 2.2-4367 THROUGH -4377)

The provisions of Sections 2.2-4367 through -4377, relating to ethics in public procurement, shall apply to all City of Franklin procurement.

22. EXEMPTIONS FROM COMPETITIVE REQUIREMENTS

City of Franklin has determined that competition normally is either not practicable or available for purchases of the following goods and services; however at least one quote must be obtained and documented.

- a. Entertainment Services (such as bands, clowns, and amusements, etc.) provided for the City of Franklin, not to exceed \$10,000.

- b. Exhibition Rental Fees for exhibitions of historical artifacts or original works of art. (The rental fee may include charges other than the rental of the exhibition, such as transportation costs.)
- c. Training to include on and off-site training fees
- d. Dues, Subscriptions and Memberships
- e. Utility Charges
- f. Athletic Officials/Referees: Umpires, referees, and other sports officials to officiate competitive athletic and sporting events sponsored by City of Franklin Parks & Recreation. The services include observing the play, detecting infractions of rules, and imposing penalties established by the rules and regulations of the various sports.
- g. Legal Services
- h. Used and Refurbished Equipment
Used equipment, which has been previously owned and used or factory rebuilt, offered for sale “where is, as is” may be negotiated by the City. Complete information describing the item must be provided to the Purchasing Department along with the price being offered by the seller in writing. Prior to preparation of any contract or purchase order, the Purchasing Department must obtain a written statement from a person who is technically knowledgeable of the type of equipment to be purchased, normally the end user, verifying the condition of the equipment, its future usefulness, and that its purchase would be in the best interest of the City.

Upon a determination in writing that the price is fair and reasonable for used equipment meeting the City’s needs, a contract may be noncompetitively negotiated and awarded up to \$100,000.

- i. Perpetual Software and Hardware Maintenance
Competitively purchased software and hardware that requires annual maintenance and support including upgrades to keep the product current, is considered both proprietary and perpetual, as maintenance cannot be provided by anyone other than the source code or current holder. For that reason, maintenance does not require the same competitive justification as other purchases so long as the original purchase is competitive and the same company provides the maintenance, until the product is no longer utilized. Using departments must verify that the price is fair and reasonable, and that the product is still available through the current provider with each purchase.

PROCUREMENT MATRIX

EXHIBIT A

AMOUNT (\$)	TYPE	PROCESS FOR QUOTES	NO OF VENDORS SOLICITED	DECISION CRITERIA	PR REQUIRED	PO REQUIRED	CONTRACT REQUIRED		NOTES
0.01-4,999.99	GOODS, NON-PROFESSIONAL SERVICES, NON-TRANSPORTATION CONSTRUCTION	ORAL OR WRITTEN	1	BEST PRICE					
5,000.00-9,999.99	GOODS, NON-PROFESSIONAL SERVICES, NON-TRANSPORTATION CONSTRUCTION	RFQ	3	LOWEST RESPONSIVE AND RESPONSIBLE VENDOR OR BEST VALUE	X	X	Construction Projects Only		
10,000.00-99,999.99	GOODS, NON-PROFESSIONAL SERVICES, NON-TRANSPORTATION CONSTRUCTION	RFQ	3	LOWEST RESPONSIVE AND RESPONSIBLE VENDOR OR BEST VALUE	X	X	X		
100,000.00+	GOODS, NON-PROFESSIONAL SERVICES, NON-TRANSPORTATION CONSTRUCTION	IFB OR RFP	N/A	LOWEST RESPONSIVE AND RESPONSIBLE BIDDER OR BEST VALUE	X	X	X		
0.01-4,999.99	PROFESSIONAL SERVICES	WRITTEN	1	BEST VALUE	X				USE A/E TERM CONTRACTS
5,000.00-79,999.99	PROFESSIONAL SERVICES	RFP	3	COMPETITIVE NEGOTIATION BASED ON CRITERIA	X	X	OVER \$10K		USE A/E TERM CONTRACTS
80,000.00+	PROFESSIONAL SERVICES	RFP	N/A	COMPETITIVE NEGOTIATION BASED ON CRITERIA	X	X	X		UP TO \$150,000 USE A/E TERM CONTRACTS
0.01-4,999.99	TRANSPORTATION-RELATED CONSTRUCTION	ORAL OR WRITTEN	1	BEST PRICE					
5,000.00-24,999.99	TRANSPORTATION-RELATED CONSTRUCTION	RFQ	3	LOWEST RESPONSIVE AND RESPONSIBLE VENDOR OR BEST VALUE	X	X	X		
25,000.00+	TRANSPORTATION-RELATED CONSTRUCTION	IFB	N/A	LOWEST RESPONSIVE AND RESPONSIBLE BIDDER	X	X	X		

Exhibit B

Forms

- Emergency Procurement Determination Form
- Sole Source Justification Form



April 9, 2020

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: Franklin Redevelopment and Housing Authority Contract

Background Information

As you all are aware staff was authorized to negotiate with the Franklin Redevelopment and Housing Authority to purchase the office building at 100 East Fourth. Staff has negotiated with the Board, done a walkthrough of the property, and obtained estimates for the required improvements. The draft contract is provided for your consideration.

Needed Action

Authorize execution of the attached contract.

REAL ESTATE PURCHASE CONTRACT

THIS PURCHASE CONTRACT (this "Agreement") is made as of the ___ day of April, 2021, (the "Effective Date") by and between the **CITY OF FRANKLIN, VIRGINIA**, a body politic and political subdivision of the Commonwealth of Virginia, ("**Purchaser**") and **FRANKLIN REDEVELOPMENT AND HOUSING AUTHORITY**, a political subdivision of the Commonwealth of Virginia ("**Seller**").

WITNESSETH:

For and in consideration of the premises, the promises, covenants and conditions set forth herein, and of the benefits to be derived by Seller and Purchaser and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and Purchaser covenant and agree as follows:

1. Purchase and Sale. Seller agrees to sell and Purchaser agrees to purchase, in fee simple, the real property, consisting of 0.0741 acres, more or less, known as 100 East Fourth Avenue, Franklin, Virginia, Lots 1, 2, 3, 4, 8, and 9 Main Street and Fourth Avenue, 107 (055) BLK 5 – 1, 2, 3, 4, 8, 9, tax map number 107-55-5-1, all improvements located thereon, and all fixtures attached thereto (**the "Property"**).

2. Purchase Price. The purchase price for the Property is Three Hundred Sixty Eight Thousand and 00/100 Dollars (\$368,000.00) (**the "Purchase Price"**) payable in cash or its equivalent at Closing.

3. Closing. Closing shall be made at a mutually agreed upon time and place, which will occur on or about May 31, 2021, or as soon thereafter as practicable. At Closing, Purchaser shall pay to Seller the Purchase Price, and Seller shall simultaneously deliver to Purchaser a Special Warranty Deed subject only to easements, restrictive covenants and conditions then of record, the usual title company affidavit as to mechanic's liens and possession, and any other documents reasonably required by Purchaser, and/or Purchaser's title company. Possession shall be given at Closing.

4. Condition of the Property. Seller agrees to deliver possession of the Property in its current condition, less signage or other personal property; and to exercise reasonable and ordinary care in the maintenance and upkeep of the Property pending the date of Closing. Purchaser agrees to accept the Property "as is," and no warranties are made as to zoning, structural integrity, physical condition, construction, workmanship, materials, habitability, fitness for a particular purpose, or merchantability of all or any part of the Property. Seller does represent that it has no actual knowledge of a hazardous environmental condition on the Property and has received no notice from any governmental authorities regarding a violation of environmental laws or hazardous environmental conditions upon the property.

5. Removal of Equipment. Seller and Purchaser agree that Seller may remove Seller's equipment, signage, or other personal property prior to closing.

6. Closing Costs. Purchaser will prepare the deed. Each party shall bear its own legal expenses incurred as of the date of Closing. Purchaser shall be responsible for any Grantor's taxes due at closing as well as all other closing costs.

7. Risk of Loss. It is understood and agreed that the risk of loss or damage by fire, wind storm or any other cause to the structure or structures, if any, hereunder optioned and situated in whole or in part upon the hereinabove described land will remain with the landowner until final settlement is made.

8. Title. Purchaser's obligations herein are conditioned upon Purchaser's receiving a good and marketable fee simple title to the Property, free and clear of all management, leasing and servicing contracts, liens, tenancies, and encumbrances, excepting usual utility easements and other easements and restrictions and covenants of record which do not affect marketability of title.

9. Representations and Warranties of Purchaser. To induce Seller to enter into this Agreement, Purchaser makes the representations and warranties herein contained, each of which is material and is being relied upon by Seller. The following representations and warranties are true and accurate as of the date of execution of this Agreement and shall be true and accurate as of the date of Closing.

- A. Purchaser has all necessary power and authority to make the representations and warranties contained herein, and to perform all of its obligations hereunder.
- B. This Contract is a valid and legally binding obligation of Purchaser enforceable in accordance with its terms.
- C. Neither the execution nor performance of this Agreement by Purchaser will violate any law or conflict with or result in a default under any other agreement to which Purchaser may be bound or under any order or decree of any court or governmental instrumentality relating to Purchaser.

10. Representations and Warranties. To induce Purchaser to enter into this Agreement and to purchase the Property, Seller makes the representations and warranties herein contained, each of which is material and is being relied upon by Purchaser. The following representations and warranties are true and accurate as of the date of execution of this Agreement and shall be true and accurate as of the date of Closing.

- A. Seller has good and marketable fee simple title to the Property, and that to Seller's knowledge, there are no recorded or unrecorded covenants, easements, rights, restrictions, or other encumbrances which would prevent Purchaser from using the Property.

- B. There are no tenancies or parties with any rights of possession with respect to the Property.
- C. To Seller's knowledge, there are no proceedings pending or threatened, against or relating to the Property including, without limitation, any proceedings relating to condemnation or the exercise of the rights of eminent domain as to any part of the Property or purchase in lieu thereof or for the limiting or denying of any right of access thereto.
- D. Seller has no knowledge of any special assessments against the Property or any planned public improvements, which may result in a special assessment against Property.
- E. This Agreement has been duly executed and delivered by Seller. The execution of this Agreement and the Closing hereunder will not violate or contravene any law, order, decree, rule, regulation, covenant or agreement to which Seller is subject.
- F. Seller represents that to its knowledge, (i) no underground storage tanks, asbestos, items containing PCBs, tires, batteries, solid waste, or toxic or hazardous materials or substances, as defined in applicable state or federal law (collectively, "Hazardous Waste") are present upon or in the Property, (ii) there has been no release, discharge, storage, generation, treatment or disposal of any Hazardous Waste upon or in the Property, (iii) the Property contains no remains or improvements of archeological or historic significance, or graveyards.
- G. Seller has all necessary power and authority to make the representations and warranties contained herein, and to perform all of its obligations hereunder, including conveyance of the Property to Purchaser. This Contract is a valid and legally binding obligation of Seller enforceable in accordance with its terms. Neither the execution nor performance of this Agreement by Seller will violate any law or conflict with or result in a default under any other agreement to which Seller or the Property may be bound or under any order or decree of any court or governmental instrumentality relating to Seller or the Property.
- H. To the best of Seller's knowledge and belief, there is no pending or threatened litigation, administrative action or examination, claim or demand whatsoever relating to the Property.
- I. Seller is the fee simple owner of title to the Property and Seller will not make, cause or permit any modification thereof, or waste thereto, through, and including, the date of Closing.

- J. To the best of Seller's knowledge and belief, there is no assessment or other charge presently outstanding or unpaid for improvements which has, or may become, a lien against the Property. Further, there are no improvements which have been ordered to be made to the Property which have not heretofore been completed, assessed and paid for.
- K. Seller is not a party to any lease, contract or agreement of any kind whatsoever, written or verbal, with respect to the Property except for this Agreement.
- L. Seller has performed all obligations required to be performed by it and is not in default under any agreement, lease, mortgage or any other document to which Seller is or has been a party with respect to the Property.
- M. All written notices received by Seller of violations of governmental orders or requirements issued by any public authority having jurisdiction over the Property, if any, have been complied with by Seller, and the Property is free and clear of all such violations or orders.

11. Default. In the event of default by any party to this Agreement, the non-defaulting party shall be entitled to all attorney's fees and costs incurred by such non-defaulting party in the successful enforcement of its rights in any proceedings arising under or relating to this Agreement. In the event of a default by Seller hereunder, Purchaser may, at its option, elect to enforce the terms of this Agreement or demand and be entitled to recover from Seller all costs and expenses incurred by Purchaser subsequent to its execution of this Agreement for its investigation of the Property, including without limitation, all attorney's, engineer's and consultant's fees, expenses and charges, all with interest thereon. If Purchaser elects to enforce the terms of this Agreement, Purchaser, in addition to all other remedies available to it at law or in equity, shall have the right of specific performance of this Agreement and shall be entitled to collect from Seller all attorney's fees and costs incurred by it in enforcing successfully its rights hereunder.

12. Waivers. No delay or omission to exercise any right or power accruing upon any non-compliance or default with respect to any of the terms of this Agreement shall impair any such right or power or be construed to be a waiver thereof, except as otherwise may be herein provided. A waiver by either party of any covenant, condition or agreement to be performed by the other party must be in writing and shall not be construed to be a waiver of any succeeding breach of any covenant, condition or agreement herein contained.

13. Notices. All notices hereunder shall be in writing and shall be effective when delivered if delivered by hand, five (5) business days after being mailed, postage prepaid, by first class certified mail, return receipt requested, or one (1) business day after being sent by overnight national courier service, fees prepaid, to the following:

To Purchaser: City of Franklin, Virginia
c/o Amanda Jarrett, City Manager
207 West 2nd Avenue
Franklin, Virginia 23851

With a copy to: Vivian Seay Giles, Esq.
Sands Anderson PC
1111 East Main Street, Suite 2400
Richmond, Virginia 23219

To Seller: _____

14. Assignment. This Agreement and all of the provisions hereof shall be binding upon, and shall inure to the benefit of, the parties hereto and their permitted assigns, but neither this Agreement nor any of the rights, interests or obligations hereunder shall be assigned by either of the parties hereto without the prior written consent of the other.

15. Entire Agreement. This Agreement contains the entire agreement between Seller and Purchaser, and there are no other terms, conditions, promises, undertakings, statements or representations, expressed or implied, concerning the sale contemplated by this Agreement.

16. Modification. The terms of this Agreement may not be amended, waived or terminated orally, but only by an instrument in writing signed by Seller and Purchaser.

17. Counterparts; Facsimile. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Seller and Purchaser intend that a signature reproduced or transmitted by electronic means (e.g. facsimile or .pdf) shall be binding as an original.

18. Governing Law. This Agreement and all documents and instruments referred to herein shall be governed by, and shall be construed according to, the laws of the Commonwealth of Virginia.

19. Jurisdiction and Venue. Jurisdiction and venue for any legal action or suit in connection with or arising out of this Agreement shall lie exclusively in the Circuit Court of Southampton County, Virginia, and in no other court.

WITNESS the following signatures and seals.

PURCHASER:

THE CITY OF FRANKLIN, VIRGINIA

By: _____ (SEAL)
Printed: _____
Title: _____
Date: _____

SELLER:

FRANKLIN REDEVELOPMENT HOUSING AUTHORITY

By: _____ (SEAL)
Printed: _____
Title: _____
Date: _____

DRAFT



*Office of the City Manager
Amanda C. Jarratt*

April 5, 2021

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: Employee Incident Accident Policy

Background Information

Attached for your review and approval is the updated Employee Incident Accident Policy and required forms. These are being updated in accordance with our ongoing project of updating the City of Franklin's Personnel Policy. The policy and forms have been reviewed by the City of Franklin Safety Committee and Department Heads.

Needed Action

Adopt the policy as presented.

CITY OF FRANKLIN

Effective Date: 7/1/97

Revision Date:

601 SAFETY POLICY

The City of Franklin considers safety of its employees and the general public to be of paramount importance. As an employer, the City recognizes its obligation to provide the safest possible work place for its employees. As a municipal government, it recognizes its responsibility to provide safe environment for the public it serves.

These broad objectives will only be achieved through an aggressive safety and loss control program. Franklin's safety program will consist of the following major components.

1. Each department head and supervisor shall be responsible for safety of the personnel and operations under his or her charge and may appoint safety coordinators for his or her department.
2. Safety Manuals may be formulated and adapted by departments which have the need for such regulations. Such manuals shall be approved by a Safety Committee appointed by the City Manager.

All employees are expected to perform their work in a safe manner and comply with any safety regulations contained in safety manuals adapted by their department.

ACCIDENT/INCIDENT INVESTIGATION PROCEDURE

I. **Purpose**

This accident/incident investigation procedure expresses the City of Franklin's policy for accident/incident investigation, reporting, and notification, and applies to all safety & health related accidents/incidents, including work-related injuries, illnesses, near misses, and accidents/incidents resulting from a motor vehicle. The principal purpose of this procedure is to determine the basic cause(s) and contributing cause(s) of the accident/incident so that appropriate measures may be taken and communicated to other employees to prevent recurrences of the accident/incident.

II. **Scope**

Accident/incident investigation is of prime importance to the success of any loss prevention program. The goal is to determine the facts regarding circumstances leading to the accident/incident and from those facts develop and initiate preventative measures to minimize the possibility of recurrence involving City of Franklin employees, contractors, and citizens. Investigations are fact-finding, not fault-finding. This is not to say that responsibility should not be fixed where personal failure has caused injury or property damage, nor should that such person be excused from the consequences. However, the investigation itself is concerned only with identifying the facts.

III. **Responsibilities**

- A. The City Manager, through the delegation to department heads, is responsible for ensuring compliance with this procedure.
- B. All accidents/incidents shall be reported immediately by the employee(s) involved in, or discovering, the accident/incident. The report should be made to the involved employee's supervisor, who shall initiate the accident/incident investigation.

- C. The supervisor is responsible for initiating the accident/incident investigation and completing the Supervisors Investigation Report. The involved employee shall complete the City of Franklin Employee Accident/incident Investigation Reporting Form. The employee's immediate supervisor and/or department head shall complete all forms and investigations on non-OSHA reportable accidents/incidents. OSHA reportable cases shall require the same documentation to be completed by the department head but with consultation from the Chairperson of the City of Franklin's Safety, Health, & Wellness Committee, the Director of Human Resources, and the City Manager, or their designees.
- D. Unless approved, accident/incident investigations shall be performed and documented within 24 hours of the accident/incident and reported to the City Manager, or their designee. All occupational injuries and illnesses must be reported immediately to the Virginia Risk Sharing Association when supervision is notified of the injury or illness.
- E. Supervisors shall include pictures of all damage and injuries, the location where the damage or injuries occurred, from both a close up and overall perspective, to help with the accident/incident investigation.

IV. Definitions

- A. Incident – An unplanned, unexpected, undesirable event that results in, or has the potential to result in a loss.
- B. Loss – personal injury, property damage, materials loss or damage.
- C. Near Miss – An incident that does not result in injury, but has the potential for serious bodily harm or results in property or equipment damage.
- D. First Aid Case - An incident resulting in an injury or illness which requires treatment of minor injuries such as scratches, cuts, burns, etc.
- E. OSHA Reportable Case - Work-related fatalities must be reported within 8 hours, a work-related hospitalization, amputation, or loss of an eye must be reported within 24 hours.

- F. Medical Treatment - An injury or illness requiring medical treatment beyond basic first aid, such as sutures, fractures, and injuries treated with prescription medication.
- G. Restricted Work Day Case – Any work-related injury or illness which prevents the employee from performing all job responsibilities typically performed within the time period of one week, or from performing their job for an entire work shift.
- H. Lost Work Day Case – Any work-related OSHA reportable injury or illness that prevents the employee from being available to work beyond the day of the incident.
- I. Serious Incident – Any incident which results in fatalities, spinal cord damage, serious neurological damage, loss of consciousness or coma, amputation of a body member, second/third degree burns over 30% or more of body, loss or impairment of vision, significant exposure to toxic chemicals, serious near misses, or recordable injuries to three or more persons from a single occurrence.
- J. Hospitalization - An injury or illness which results in an individual being admitted to the hospital for observation or treatment.
- K. Fatality - An incident which results in a loss of life.
- L. Employee Accident/incident Investigation Reporting Form – A standardized report form used to document details of accident/incident investigations from the employee’s perspective.
- M. Motor Vehicle Incident – Any incident involving a city-owned, leased or rented vehicle, or personal vehicle used for city business on or off city property.
- N. VRSA - Virginia Risk Sharing Association - Insurance Programs which manages the Worker’s Compensation program for the City of Franklin.
- O. Supervisors Investigation Report - A standardized report form used to document details of accident/incident investigations from the supervisor’s evaluation of the accident/incident.

- P. Panel of Physicians Form – A standardized form listing the physicians that employees can choose from for further treatment for accident/incident related injuries.

V. **Reporting Accidents/incidents (in general)**

- A. The number one priority for any accident/incident is for the affected employee(s) to receive the appropriate treatment for his/her injuries and to report the injury to VRSA's reporting system, CompCare On Call by dialing 1-877-234-0898. The employee shall be given a copy of the Panel of Physicians and a copy of that form shall be included in the investigation packet.
- B. All accidents/incidents shall be reported immediately to the involved employee's supervisor who shall initiate the accident/incident investigation.
- C. After an accident/incident has occurred, been investigated, and corrective actions completed, the department head shall ensure that any safeguards or information that needs to be relayed to other employees working in similar conditions that could prevent another such accident/incident from occurring should be forwarded to those with employees in a timely manner. Department heads shall not discuss the original incident, employees involved, injuries received if any, or corrective actions taken against employees.
- D. The Employee Accident/incident Investigation Reporting Form, Supervisors Investigation Report, and Panel of Physicians shall be completed and submitted by the department head, or their designee, to the City Manager, Director of Human Resources, and the Safety Committee Chairperson within 24 hours of the accident/incident. In cases where due to injury and seeking treatment, the Employee Accident/incident Investigation Reporting Form, Supervisors Investigation Report, and Panel of Physicians Form cannot be submitted within 24 hours, a copy shall be submitted as a notification of the accident/incident.
- E. In the event of an accident/incident where reporting to OSHA is required, the Chief of Police, or their designee, shall be notified to

complete an industrial accident investigation and notify OSHA as required by law.

- F. The investigative team for all minor accidents/incidents, including work-related injuries, illnesses, near misses, and accidents/incidents resulting from a motor vehicle shall consist of, at a minimum, the affected employee, the supervisor, and the department safety committee member.
- G. The investigative team for major accidents/incidents, including work-related injuries, illnesses, near misses, and accidents/incidents resulting from a motor vehicle shall consist of those mentioned in section F above as well as any and all eye witnesses, the employee's crew or team members, the department head, the Chairperson of the Safety, Health, & Wellness Committee, the Chief of Police, the Fire Chief, and Director of Human Resources.
- H. Other persons, such as industry experts, safety personnel, etc., not assigned to the investigation team should be consulted, as necessary, to help determine the cause of the accident/incident, as well as identify appropriate corrective actions.
- I. The investigation team shall interview any individuals involved in the accident/incident, all credible witnesses, and others with useful information. If an involved employee is not immediately available due to an injury or illness, they should be interviewed as soon as medically and psychologically practical to gain details of the events leading up to the incident.
- J. For all major accidents/incidents, the investigation team shall convene within 48 hours of the accident/incident and evaluate its findings about the incident. Between the time of the incident and the investigation, potential evidence that could aid in the investigation shall be preserved by photographs or video. Other means such as securing the area or equipment, taking samples, etc. shall be used as necessary.
- K. The actions of the investigation team shall not interfere with the investigation being conducted by the Franklin Police Department.

- L. Any work-related absences related to an OSHA reportable injury or illness shall be reported the Director of Human Resources and Payroll within three days of the accident or injury causing the loss.

VI. Motor Vehicle Accidents/incidents:

- A. Motor vehicle accident/incident investigations shall be documented as outlined above in section III. A through E.
- B. If a motor vehicle accident/incident occurs, attach the police report to the investigative packet listed in section III. A through E above. All accidents involving City of Franklin owned vehicles in the City of Franklin shall be investigated by the City of Franklin Police Department. Accidents occurring outside the City of Franklin will be investigated by that law enforcement agency within their policies and procedures.
- C. The supervisor(s) of the City employee(s) involved in the motor vehicle accident/incident shall coordinate performance of the incident investigation. The City of Franklin's Vehicle Operations Policy should be reviewed for additional guidance.
- D. City vehicle driver/operators shall report an accident in accordance with the Department of Transportation (DOT) requirements and the City of Franklin's Vehicle Operations Policy.
- E. All post-accident drug and alcohol testing is the responsibility of the involved employee's department head, or their designee, and shall be completed as outlined in City of Franklin Policy and Procedure 708 entitled Substance Abuse and Testing.

VII. Corrective Action:

- A. Upon completion of the Employee Accident/incident Investigation Reporting Form and the Supervisors Investigation Report, the department head shall be assigned responsibility for reviewing the accident/incident for any corrective actions or measures that need to be completed to prevent such accident/incident from occurring again. The department head shall review these corrective actions with the City Manager, or their designee, for consistency across all city departments.

The department head shall establish a completion date for the corrective action. Upon completion of the corrective action to be taken, the department head shall submit a letter to the City Manager describing the corrective action taken and the completion date. Once completed, the letter shall be added to the final report and filed within Human Resources.

VIII. Records Retention:

All Incident Investigation Reports shall be kept on file for the current year plus five years.

Attachments:

- Employee Accident/incident Investigation Reporting Form
- Supervisors Investigation Report
- Panel of Physicians Form shall be completed
- Virginia Risk Sharing Association procedure.



YOUR Member Number is 196
City of Franklin

WHEN A WORK RELATED INJURY OCCURS

1. NOTIFY YOUR SUPERVISOR IMMEDIATELY
2. THE SUPERVISOR WILL PROVIDE YOU WITH A PANEL OF PHYSICIANS
3. CALL TOLL FREE: 1 (877) 234-0898 - 24 HOURS A DAY, 7 DAYS A WEEK, 365 DAY A YEAR
4. INJURIES MUST BE REPORTED IMMEDIATELY

Injured employees have the option of speaking with a Registered Nurse who will obtain the information needed to report the incident and triage the injury or illness to determine the best course of action based on the symptoms reported. The employee also has the option of reporting an injury and not speaking with a nurse.

**THIS SERVICE DOES NOT REPLACE CALLING 9-1-1
WHEN IMMEDIATE MEDICAL ATTENTION IS REQUIRED**

YOUR Member Number is 196
City of Franklin



CITY OF FRANKLIN

EMPLOYEE ACCIDENT/INVESTIGATION REPORTING FORM

DATE OF REPORT: DEPARTMENT:

DATE OF ACCIDENT/INCIDENT: TIME OF ACCIDENT/INCIDENT: AM PM

EMPLOYEE INVOLVED IN ACCIDENT/INCIDENT: WITNESS: YES NO

IF YES, WHO/WHAT DID THEY SEE:

LOCATION OF ACCIDENT/INCIDENT:

TYPE OF ACCIDENT/INCIDENT: INJURIES: YES NO POLICE NOTIFIED: YES NO

Citation Issued: YES NO Drug/Alcohol Testing: YES NO

EQUIPMENT/VEHICLE INVOLVED IN ACCIDENT

YEAR: MAKE: MODEL:

VEHICLE LICENSE PLATE NUMBER: VIN:

CITY VEHICLE NO.:

DESCRIPTION OF DAMAGE (be specific):

EXPLANATION OF ACCIDENT/INCIDENT:

SIGNATURE OF EMPLOYEE REPORTING ACCIDENT/INCIDENT: DATE:

SIGNATURE OF SUPERVISOR: DATE:

SIGNATURE OF DEPARTMENT DIRECTOR: DATE:

- Use additional sheets as needed - Include photos of damage/incident

THIS REPORT IS TO BE SUBMITTED TO THE SAFETY COMMITTEE CHAIRMAN AND HUMAN RESOURCES DIRECTOR VIA EMAIL WITHIN EIGHT WORKING HOURS AFTER THE OCCURRENCE OF ACCIDENT/INCIDENT.



CITY OF FRANKLIN

SUPERVISOR'S INVESTIGATION REPORT

Current Date:

WHO
 Employee: Job Title: Length of Employment:

Department: Length at Present Job: Time Shift Began: AM PM

WHEN
 Date of Accident: Time of Accident: AM PM When Reported?

WHERE
 Exact Location of accident: Witnesses:

WHAT
 Explain in detail how the accident occurred:

Select at least one (or more) from each section below:

INJURY/PROPERTY DAMAGE	CONTRIBUTING FACTOR AND ACTIVITIES	PREVENTIVE ACTIONS
<input type="checkbox"/> Caught in, under or between <input type="checkbox"/> Collapse <input type="checkbox"/> Collision or Overturn <input type="checkbox"/> Cumulative Trauma <input type="checkbox"/> Electrical Contact <input type="checkbox"/> Fall/Slip/Trip <input type="checkbox"/> Fall from elevation <input type="checkbox"/> Fire or Explosion <input type="checkbox"/> Fumes, Dust, Gas <input type="checkbox"/> Heat, Cold <input type="checkbox"/> Illness, Rash <input type="checkbox"/> Material Handling/lifting <input type="checkbox"/> Overexertion <input type="checkbox"/> Rupture or Bursting Other: <input type="text"/>	<p>Equipment:</p> <input type="checkbox"/> Failure <input type="checkbox"/> Improper <input type="checkbox"/> Unavailable <p>Personal Protective Equipm</p> <input type="checkbox"/> Not worn <input type="checkbox"/> Failure <input type="checkbox"/> Inadequate for task <p>Training/Experience:</p> <input type="checkbox"/> Lack of Training/Experience <input type="checkbox"/> Safety Training provides, not followed <input type="checkbox"/> New task or lack of experience <p>Work Area:</p> <input type="checkbox"/> Set up improperly <input type="checkbox"/> Housekeeping Issues <input type="checkbox"/> Environmental Factors <input type="checkbox"/> Ergonomics Factor <input type="checkbox"/> Hazards of Location	<p>Employees:</p> <input type="checkbox"/> Fatigue <input type="checkbox"/> Incorrect Procedures used for task <input type="checkbox"/> Improper Apparel <input type="checkbox"/> Adequate knowledge but failure in execution <p>Other Unsafe Practice: <input type="text"/></p> <p>Lack/Policy/Procedure: Explain below: <input type="text"/> <input type="text"/> <input type="text"/></p>
		<p>SUPERVISOR WILL:</p> <input type="checkbox"/> Removed equipment from use and repair/replace <input type="checkbox"/> Order new equipment <input type="checkbox"/> Order new Personal Protect Equipment(PPE) <input type="checkbox"/> Will re-train employee before task is re-assigned <input type="checkbox"/> Perform on-site review of work activity, update job safety analysis <input type="checkbox"/> Develop safety procedures <input type="checkbox"/> Schedule Preventative Maintenance <input type="checkbox"/> Communicate corrective actions to others in job category Other: <input type="text"/> <input type="text"/> <input type="text"/> <small>Please attached additional sheets if necessary.</small>

Preventative Action will be completed by (Name and Department) Completion Date:

Supervisor comments:

Supervisor Signature: Date:

Department Director's Signature: Date:

- Use additional sheets as needed - Include photos of damages or injuries
- Ensure that Employee's report is complete and accurate
- Ensure that Panel of Physician's is completed and attached to this report

THIS REPORT IS TO BE SUBMITTED TO THE SAFETY COMMITTEE CHAIRMAN AND HUMAN RESOURCES DIRECTOR VIA EMAIL WITHIN EIGHT WORKING HOURS AFTER THE OCCURRENCE OF ACCIDENT/INCIDENT.



*Office of the City Manager
Amanda C. Jarratt*

April 6, 2021

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: City Manager's Report

General Updates

- The COVID-19 cases in the City of Franklin are slowing. Vaccinations continue to be administered through various avenues within the Western Tidewater Health District. Governor Ralph Northam announced that all individuals in Virginia age 16 and older will be eligible to get the COVID-19 vaccine starting on Sunday, April 18th. By pre-registering you help our local health district plan for our area and have a better sense of where we are as a community in reaching the goal line of 70% of the adult population vaccinated! To pre-register, visit <http://vaccinate.virginia.gov> or call 877-VAX-IN-VA.
- Carson Blythe was hired as the City of Franklin's Tourism Director. Her office is located at the Train Depot.

Community Events

- Spring Break Camp was successfully held following all COVID-19 regulations April 5th-9th.
- Spring and Summer athletic leagues are posted on the City of Franklin website. All COVID-19 safety procedures will be followed.
- The Franklin Cruise In is scheduled to kick off on Saturday April 26th then shifting to the traditional Wednesday evening event until the Grand Finale which is planned for October.
- We Be Jamming is scheduled to begin on May 27th at Barrett's Landing.
- The Franklin Farmers Market is scheduled to officially to begin on Wednesday afternoons beginning on May 26th through September 8th from 4:00 PM-7:00 PM.